

# **Health and Human Services Appropriations Bill House File 825**

Last Action:

**House Appropriations  
Committee**

March 22, 2005

**An Act relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the commission of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including other provisions and appropriations, and providing effective dates.**

**Fiscal Services Division  
Legislative Services Agency**

## **NOTES ON BILLS AND AMENDMENTS (NOBA)**

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**EXECUTIVE SUMMARY  
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 825  
HEALTH AND HUMAN SERVICES APPROP. BILL**

**FUNDING SUMMARY**

- Appropriates \$994.5 million and 6,383.2 FTE positions from the General Fund to the Departments of Elder Affairs, Public Health, and Human Services, the Commission of Veteran Affairs, and the Iowa Veterans Home. This is an increase of \$209.5 million and 17.2 FTE positions compared to estimated net FY 2005.
- Appropriates \$90.9 million and 13.0 FTE positions from the Senior Living Trust Fund to the Departments of Elder Affairs, Human Services, Inspections and Appeals, and the Iowa Finance Authority. This is a decrease of \$71.4 million and no change in FTE positions compared to estimated net FY 2005.
- Appropriates \$142.8 million from the Temporary Assistance to Needy Families (TANF) funds to the Department of Human Services. This is a decrease of \$5.6 million compared to estimated net FY 2005.
- Appropriates \$22.9 million from the Hospital Trust Fund for the Medical Assistance (Medicaid) Program. This is a decrease of \$14.6 million compared to estimated net FY 2005.

**DIVISION I – GENERAL FUND AND  
BLOCK GRANT APPROPRIATIONS  
DEPARTMENT OF ELDER AFFAIRS**

- Appropriates \$2.7 million from the General Fund and 26.8 FTE positions to the Department of Elder Affairs. This is no change compared to estimated net FY 2005. (Page 1, Line 10)

**DEPARTMENT OF PUBLIC HEALTH**

- Appropriates \$24.6 million from the General Fund and 146.0 FTE positions to the Department of Public Health. This is an increase of \$344,000 and 4.5 FTE positions compared to estimated net FY 2005. The major changes include:
  - Chronic Conditions - An increase of \$449,000 and 0.5 FTE position to provide additional funding for the AIDS Drug Assistance Program (ADAP), Child Health Specialty Clinics, and to establish a Hepatitis C Awareness Program. (Page 2, Line 35)
  - Environmental Hazards - An increase of \$150,000 and 1.0 FTE position for an expansion of childhood lead poisoning prevention activities. (Page 3, Line 24)
  - Injuries - A decrease of \$335,000 for the Healthy Opportunities for Parents to Experience Success (HOPES) Program. (Page 4, Line 1)
  - Public Protection - An increase of \$200,000 and 3.7 FTE positions to provide funding for staff and lab resources for the State Medical Examiner's new facility and the transfer of the Hearing Impaired Licensure Board. (Page 4, Line 15)
- Appropriates \$8.1 million from the Gambling Treatment Fund for substance abuse and gambling addiction treatment, which is no change compared to estimated net FY 2005. (Page 5, Line 21)

## EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

## HOUSE FILE 825 HEALTH AND HUMAN SERVICES APPROP. BILL

### VETERANS AFFAIRS

- Appropriates \$16.6 million from the General Fund and 859.2 FTE positions to the Commission of Veterans Affairs and the Iowa Veterans Home. This is no change compared to estimated net FY 2005. (Page 5, Line 33 through Page 6, Line 26)

### DEPARTMENT OF HUMAN SERVICES

- Appropriates a total of \$950.6 million from the General Fund and 5,343.3 FTE positions to the Department of Human Services (DHS). This is an increase of \$209.1 million and a decrease of 12.7 FTE positions compared to estimated net FY 2005. The references to FTE positions include the State Resource Centers at Glenwood and Woodward, which are not specifically appropriated for FY 2005 or FY 2006.

### MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING DHS PROGRAMS

- Family Investment Program: An increase of \$1.2 million for federal maintenance of effort requirements increase and a decrease from FY 2005 carryforward funding. (Page 11, Line 14)
- Medical Assistance Program (Medicaid): An increase of \$171.7 million. (Page 12, Line 15)  
The major changes include:
  - An increase of \$63.6 million to include the proposed FY 2005 supplemental appropriation.
  - An increase of \$31.4 million for increases in enrollment and utilization.
  - An increase of \$14.6 million to replace a projected shortfall in the Hospital Trust Fund.
  - An increase of \$3.7 million for Medicare Part D activities.
  - An increase of \$6.0 million to eliminate eligibility for various Home and Community-Based Service Waivers lists.
  - An increase of \$16.5 million for a 3.0% provider rate increase.
  - A net increase of \$51.4 million to reduce the appropriation from the Senior Living Trust Fund.
  - A decrease of \$2.1 million to change eligibility in the State Supplementary Assistance Program to draw federal matching funds for the payment of Medicare premiums.
  - A decrease of \$1.4 million to reduce the nursing facility non-direct care excess payments.
  - A decrease of \$7.9 million for savings from the Iowa Medicaid Enterprise.
- Medical Contracts: An increase of \$5.0 million to implement the Iowa Medicaid Enterprise contracts. (Page 16, Line 14)
- Children's Health Insurance Program (Healthy and Well Kids in Iowa (*hawk-i*) Program): An increase of \$4.5 million for additional caseload. (Page 17, Line 19)

## EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

## HOUSE FILE 825 HEALTH AND HUMAN SERVICES APPROP. BILL

### MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING DHS PROGRAMS (CONTINUED)

- Child Care Assistance Program: An increase of \$3.3 million. (Page 17, Line 31)  
This includes:
  - An increase of \$2.8 million to expand eligibility for the Program to 145% of the Federal Poverty Level (FPL) and to 200% of FPL for special needs subsidy.
  - An increase of \$500,000 to implement the Quality Rating System.
- Juvenile Institutions: An increase of \$318,000 for substance abuse treatment programs at the two Institutions. (Page 19, Line 17 and Page 19, Line 22)
- Child and Family Services: A decrease of \$20.9 million. (Page 19, Line 32)  
This includes:
  - A decrease of \$29.0 million to transfer funds to provide a separate appropriation for the Subsidized Adoption Program.
  - An increase of \$4.2 million to replace one-time funds provided in FY 2005.
  - An increase of \$2.2 million for a 3.0% rate increase for Rehabilitative Treatment Service providers.
  - An increase of \$600,000 for child welfare redesign activities.
  - An increase of \$440,000 for changes in the Federal Matching Assistance Participation (FMAP) rate.
  - An increase of \$364,000 for foster care and independent living maintenance rates.
  - An increase of \$200,000 for Child Protection Centers.
- Adoption Subsidy: This is a new appropriation for FY 2006. (Page 24, Line 28)  
This includes:
  - An increase of \$29.0 million to transfer funds from the Child and Family Services appropriation.
  - An increase of \$2.3 million for projected caseload growth.
  - An increase of \$239,000 for changes in the Federal Matching Assistance Participation (FMAP) rate.
  - An increase of \$722,000 for adoption subsidy maintenance rates.
- State Resource Centers: An increase of \$6.4 million to reflect additional funds from county capitations, continuing the estimated FY 2005 supplement appropriation, and filling FTE vacancies. (Page 28, Line 5 and Line 8)
- State Cases Program: A decrease of \$500,000 and 8.00 FTE positions, which is replaced by federal Block Grant funds. (Page 29, Line 10)
- Sexual Predator Commitment Program: An increase of \$775,000 and 8.0 FTE positions to maintain and annualize the proposed FY 2005 supplemental appropriation. (Page 31, Line 18)

**EXECUTIVE SUMMARY  
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 825  
HEALTH AND HUMAN SERVICES APPROP. BILL**

**MAJOR INCREASES, DECREASES,  
OR TRANSFERS OF EXISTING DHS  
PROGRAMS (CONTINUED)  
STUDIES AND INTENT LANGUAGE**

**SIGNIFICANT CHANGES TO THE  
CODE OF IOWA**

**EFFECTIVE DATES**

**DIVISION II – SENIOR LIVING TRUST  
FUND AND HOSPITAL TRUST FUND**

- Mental Health Allowed Growth: An increase of \$4.8 million for FY 2006 as enacted in SF 2298 (FY 2005 Omnibus Appropriations Act). (This appropriation is not contained in the Bill; but the distribution of the appropriation is located on Page 47, Line 18)
- Transfers funds from the Department of Elder Affairs to the Iowa Commission on Volunteer Services if the Commission is established in enacted legislation. (Page 1, Line 34)
- Requires the DHS to adopt administrative rules to expand eligibility for the Child Care Assistance Program to 145% of the Federal Poverty Level (FPL) and to 200% for families with a special needs child. (Page 18, Line 6)
- Requires the DHS to use \$500,000 of the appropriation to the Child Care Assistance Program to implement a Quality Rating System. (Page 18, Line 14)
- Requires the DHS to reimburse certain providers of anesthesia services using the conversion factors applicable to the federal Medicare Program. (Page 39, Line 24)
- Permits FY 2005 funds available from the federal Food Stamp Electronic Benefits Transfer effort to carry forward into FY 2006. (Page 41, Line 22)
- Permits FY 2005 funds available from the Field Operations line-item to be carried forward into FY 2006, with one-half used for implementation of Medicare Part D. (Page 41, Line 32)
- Provides that the following Sections take effect upon enactment: (Page 43, Line 1)
  - The Juvenile Court Services plan for group foster care expenditures.
  - The allocation of court-ordered services funding by the State Court Administrator.
  - The carry forward of FY 2005 funds from the Electronic Benefit Transfer effort.
  - The carry forward of FY 2005 funds from the DHS Field Operations line-item.
- Senior Living Trust Fund: A total decrease of \$71.4 million to the Departments of Elder Affairs, Human Services, and Inspections and Appeals compared to the estimated net FY 2005 appropriations. The change includes:
  - An increase of \$700,000 to the Iowa Finance Authority for the Rent Subsidy Program. The funds were previously appropriated to the DHS for this purpose. (Page 45, Line 29)

**EXECUTIVE SUMMARY  
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 825  
HEALTH AND HUMAN SERVICES APPROP. BILL**

**DIVISION II – SENIOR LIVING TRUST  
FUND AND HOSPITAL TRUST FUND  
(CONTINUED)**

- An increase of \$67,000 and 1.0 FTE position for the Department of Elder Affairs due to the transfer of an FTE position from the Department of Inspections and Appeals for activities associated with the regulation of assisted living programs. (Page 43, Line 22 and Page 44, Line 7)
- A decrease of \$51.4 million to the DHS for the Medical Assistance (Medicaid) Program, which is offset by an increase from the General Fund. (Page 44, Line 27)
- A decrease of \$20.0 million to the DHS due to the elimination of funding for conversion grants. (Not shown in the Bill)
- Hospital Trust Fund: Decreases the appropriation by \$14.6 million compared to the estimated net FY 2005 appropriation, which is allocated for the Medical Assistance Program. (Page 46, Line 6)
- Requires funds remaining from the FY 2006 Medical Assistance Program (Medicaid) appropriation be transferred to the Senior Living Trust Fund. (Page 46, Line 24)
- Provides for the distribution formula for the FY 2006 Mental Health Allowed Growth funds appropriated in SF 2298 (FY 2005 Omnibus Appropriations Act). (Page 47, Line 18)

**DIVISION III – FY 2006 MENTAL  
HEALTH ALLOWED GROWTH  
DISTRIBUTION**

**DIVISION IV – SIGNIFICANT  
CHANGES TO THE CODE OF IOWA**

- Historically, in the Health and Human Services Appropriations Bill, there has been language in Session Law that is the same each year. For FY 2006, much of this Session Law language is codified in this Bill. For purposes of this Summary, these historical changes are not delineated here.
- Eliminates the duties of the Substance Abuse Commission. Two members will be added to the State Board of Health to represent substance abuse interests. (Page 52, Line 17 through Page 59, Line 29; conforming language throughout Division IV).
- Permits nonreversion of funds from birth certificate fees for the Primary and Secondary Child Abuse Prevention Programs and for the Center for Congenital and Inherited Disorders Central Registry. (Page 61, Line 21)
- Requires federal Social Security Act benefit payments from clients within the Sexual Predator Commitment Program be used for the costs incurred by the client within the Program. (Page 72, Line 20)
- Requires the DHS to maintain the Food Stamp Electronic Benefit Transfer (EBT) Program. (Page 74, Line 16)
- Changes the eligibility within the State Supplementary Assistance Program to allow the State to draw federal matching funds in the Medical Assistance Program. (Page 76, Line 21)
- Requires that the Health Insurance Data Match Program compare the names of those eligible for the Healthy and Well Kids in Iowa (*hawk i*) Program. (Page 83, Line 20)

House File 825

House File 825 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
21	30	16.4	Nwthstnd	Sec. 8.33	Nonreversion of Decategorization Funds
22	16	16.6	Nwthstnd	Sec. 234.35	State Funding for Shelter Care
22	20	16.7	Nwthstnd	Sec. 8.33	Nonreversion of Child Welfare Funds
23	16	16.10.4(a)	Nwthstnd	Sec. 232.141	Juvenile Justice Costs and Expenses
23	22	16.10.4(b)	Nwthstnd	Chapter 232	Judicial Branch Service Funds
24	1	16.10.4(c)	Nwthstnd	All	Payment for Services of Juveniles
24	12	16.11	Nwthstnd	Sec. 43, Chapter 1228, 2000 Iowa Acts	Subsidized Guardianship Program
25	5	17.3	Nwthstnd	Sec. 8.33	Nonreversion of Adoption Subsidy Funds
25	17	18	Nwthstnd	Sec. 232.142(3)	Juvenile Detention Home Fund
26	25	19.2	Nwthstnd	Sec. 225C.38(1)	Monthly Family Support Payments
35	21	29.1(k)	Nwthstnd	Sec. 249A.20	Sets Average Reimbursement Rate
36	21	29.5	Nwthstnd	sec. 234.38	Foster and Adoption Subsidy Rates
37	29	29.9(b)	Nwthstnd	Sec. 232.141(8)	Actual and Allowable Rates for Shelter Care
38	1	29.9(c)	Nwthstnd	Sec. 8A.311	Competitive Bidding for Shelter Care Contracts
39	3	30	Amends	Sec. 249A.20	Medical Assistance Program Anesthesia Reimbursement
39	33	31	Amends	Sec 4, Subsection 3, (e),(f), Chapter 192, 2001 Iowa Acts	Nursing Facility Case-Mix Adjustment Costs
41	15	32	Amends	Sec. 109, Chapter 1175, 2004 Iowa Acts	Iowa Veterans Home FY 2005 Carryforward
41	22	33	Amends	Sec. 113, Chapter 1175, 2004 Iowa Acts	Electronic Benefits Transfer Funds Carryforward Balance
41	32	34	Amends	Sec. 135, Chapter 1175, 2004 Iowa Acts	Field Operations FY 2005 Carryforward Balance
43	35	38	Nwthstnd	Sec. 249H.7	Federal Matching Funds for Older Americans Act
45	14	40.4	Nwthstnd	Sec. 249H.4 and 249H.5	Use of Senior Living Trust Fund for Cash Flow
45	21	41	Nwthstnd	Sec. 8.33	Nonreversion of Conversion Grant Funds

Page #	Line #	Bill Section	Action	Code Section	Description
46	24	45	Nwthstnd	Sec. 8.33	FY 2006 Medical Assistance Reversion Transfer to Senior Living Trust Fund
47	9	47	Amends	Sec. 173, Chapter 1175, 2004 Iowa Acts	Risk Pool Transfer to Medical Assistance
47	18	48	Amends	Sec. 173, Chapter 1175, 2004 Iowa Acts	Distribution of FY 2006 Mental Health Appropriation
49	14	49	Amends	Sec. 28.9(3)	Community Empowerment Funding
50	28	50	Adds	Sec. 35D.18	Net Budgeting for the Iowa Veterans Home
51	32	51	Amends	Sec. 84A.6(2)	Family Investment Program
52	13	52	Amends	Sec. 125.2(A1)	State Board of Health Duties for Substance Abuse
52	17	53	Amends	Sec. 125.2(6)	Commission on Substance Abuse Eliminated
52	19	54	Amends	Sec. 125.3	Conforming Language Reflecting Elimination of Commission on Substance Abuse
52	35	55	Amends	Sec. 125.7	Conforming Language Reflecting Elimination of Commission on Substance Abuse
53	27	56	Amends	Sec. 125.9(1)	Technical Correction
53	33	57	Amends	Sec. 125.10(1),(11)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
54	9	58	Amends	Sec. 125.12(1)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
54	25	59	Amends	Sec. 125.13(2),(a),(b),(i),(j)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
55	21	60	Amends	Sec. 125.14	Conforming Language Reflecting Elimination of Commission on Substance Abuse
56	2	61	Amends	Sec. 125.15A(1)(b)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
56	6	62	Amends	Sec. 125.16	Conforming Language Reflecting Elimination of Commission on Substance Abuse
56	15	63	Amends	Sec. 125.17	Conforming Language Reflecting Elimination of Commission on Substance Abuse
56	35	64	Amends	Sec. 125.18	Conforming Language Reflecting Elimination of Commission on Substance Abuse
57	24	65	Amends	Sec. 125.19	Conforming Language Reflecting Elimination of Commission on Substance Abuse



Page #	Line #	Bill Section	Action	Code Section	Description
58	2	66	Amends	Sec. 125.21	Conforming Language Reflecting Elimination of Commission on Substance Abuse
59	10	68	Amends	Sec. 125.58(1)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
59	30	69	Adds	Sec. 135.39C	Elderly Wellness Services
59	35	70	Amends	Sec. 135.150	Dual Diagnosis Treatment Priority
60	6	71	Amends	Sec. 136.1, unnumbered paragraph 1	Additional Membership on State Board of Health
60	13	72	Amends	Sec. 136.3(7)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
60	25	73	Amends	Sec. 136.3(10)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
60	29	74	Amends	Sec. 136C.10(1)	Mammography License Fees
61	21	75	Amends	Sec. 144.13A(4)(a)	Carryforward of Birth Certificate Fee Revenue
62	1	76	Adds	Sec. 144.46A	Vital Records Fund
62	25	77	Adds	Sec. 147.28A	Scope of Practice Review Committee
63	33	78	Amends	Sec. 147.80	Sharing of Examining Board Staff
64	9	79	Amends	Sec. 147.82	Department of Public Health Fees
66	10	80	Amends	Sec. 147.94	Pharmacist Licensure Fees
66	34	81	Amends	Sec. 147.102	Licensure Fees for Psychologists, Chiropractors, and Dentists
67	19	82	Amends	Sec. 217.13(1)	Volunteer Program Functions
67	30	83	Adds	Sec. 217.35	Fraud and Recoupment Activities
68	16	84	Adds	Sec. 218.6	Appropriations Transfers by DHS
68	27	85	Adds	Sec. 222.92	State Resource Centers Net Budgeting
70	7	86	Adds	Sec. 226.9B	Psychiatric Medical Institution Net Budgeting
70	29	87	Adds	Sec. 226.9C	Dual Diagnosis Net Budgeting
72	8	88	Amends	Sec. 226.19	Mental Health Institutes Discharge Requirements
72	20	89	Amends	Sec. 229A.12	Sexual Predator Program Benefit Payments
73	7	90	Adds	Sec. 231.34	Area Agencies on Aging Administrative Costs
73	13	91	Adds	Sec. 232.1A	Foster Care Placement Goal
73	20	92	Adds	Sec. 233A.1	Eldora Population Guidelines
73	27	93	Amends	Sec. 233B.1	Toledo Population Guidelines
74	16	94	Amends	Sec. 234A.12A(1)	Electronic Benefit Transfer Program

Page #	Line #	Bill Section	Action	Code Section	Description
74	23	95	Amends	Sec. 237A.28	Child Care Credit Fund
74	33	96	Adds	Sec. 239B.4	DHS and Iowa Workforce Development Cooperation
75	7	96	Adds	Sec. 239B.4(3B)	DHS Host Homes
75	18	97	Amends	Sec. 239B.11	Family Investment Program Account
76	21	98	Amends	Sec. 249.3(4)(e,g)	State Supplementary Assistance Eligibility
76	31	99	Amends	Sec. 249A.12(6)(c)	Legal Settlement
77	3	100	Adds	Sec. 249A.12(6)	Legal Settlement
77	12	101	Amends	Sec. 249A.12(7)	Legal Settlement Costs
77	23	102	Adds	Sec. 249A.24	Drug Utilization Review Commission
77	30	103	Amends	Sec. 249A.26	Services Funding for Disabilities
80	25	104	Amends	Sec. 249A.26A	Funding for Legal Settlement
81	2	105	Adds	Sec. 249A.32A	Home and Community-Based Services Waiver Limitations
81	10	106	Adds	Sec. 249A.32B	Early Periodic Screening Diagnosis Testing Funding
81	22	107	Amends	Sec. 252B.4(3)	Child Support Recovery Unit
81	30	108	Amends	Sec. 252B.23(11)	Child Support Recovery Unit Surcharge Use
82	2	109	Adds	Sec. 252B.25	DHS Additional FTE Positions
82	32	110	Amends	Sec. 321J.25(1)(b)	Conforming Language Reflecting Elimination of the Commission on Substance Abuse
83	3	111	Amends	Sec. 321J.25(2), unnumbered paragraph 1	Conforming Language Reflecting Elimination of the Commission on Substance Abuse
83	20	112	Amends	Sec. 505.25	Health Insurance Data Match Program
83	30	113	Amends	Sec. 514I.11(2)	hawk-i Trust Fund Usage
84	6	114	Adds	Sec. 514I.11(3),(4),(5)	hawk-i Program Provisions
84	17	115	Adds	Sec. 600.17(3)	Adoption Subsidy Payments Timing
84	28	117	Repeals	Sec. 125.4, 125.5, 125.6	Conforming Language Reflecting Elimination of the Commission on Substance Abuse

1 1 DIVISION I  
1 2 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS

1 3 ELDER AFFAIRS

1 4 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is  
1 5 appropriated from the general fund of the state to the  
1 6 department of elder affairs for the fiscal year beginning July  
1 7 1, 2005, and ending June 30, 2006, the following amount, or so  
1 8 much thereof as is necessary, to be used for the purposes  
1 9 designated:

1 10 For aging programs for the department of elder affairs and  
1 11 area agencies on aging to provide citizens of Iowa who are 60  
1 12 years of age and older with case management for the frail  
1 13 elderly, the retired and senior volunteer program, resident  
1 14 advocate committee coordination, employment, and other  
1 15 services which may include, but are not limited to, adult day  
1 16 services, respite care, chore services, telephone reassurance,  
1 17 information and assistance, and home repair services, and for  
1 18 the construction of entrance ramps which make residences  
1 19 accessible to the physically handicapped, and for salaries,  
1 20 support, administration, maintenance, miscellaneous purposes,  
1 21 and for not more than the following full-time equivalent  
1 22 positions with the department of elder affairs:  
1 23 ..... \$ 2,730,522  
1 24 ..... FTEs 26.75

General Fund appropriation to the Department of Elder Affairs for FY 2006.

DETAIL: Maintains current level of General Fund support and FTE positions.

1 25 1. Funds appropriated in this section may be used to  
1 26 supplement federal funds under federal regulations. To  
1 27 receive funds appropriated in this section, a local area  
1 28 agency on aging shall match the funds with moneys from other  
1 29 sources according to rules adopted by the department. Funds  
1 30 appropriated in this section may be used for elderly services

Allows the use of funds appropriated in this Subsection to supplement federal funds for elderly services if those services are approved by an Area Agency on Aging, and requires local Area Agencies on Aging to match the funds for aging programs and services.

1 31 not specifically enumerated in this section only if approved  
 1 32 by an area agency on aging for provision of the service within  
 1 33 the area.

1 34 2. If the Eighty-first General Assembly enacts legislation  
 1 35 establishing the Iowa commission on volunteer service, then of  
 2 1 the funds appropriated in this section, \$174,198 shall be  
 2 2 transferred to the office of the governor for the Iowa  
 2 3 commission on volunteer service to be used for the retired and  
 2 4 senior volunteer program.

Requires the Department of Elder Affairs to transfer \$174,198 to the Iowa Commission on Volunteer Service for the Retired Senior Volunteer Program (RSVP), if legislation is enacted that establishes the Commission.

DETAIL: House File 478 (Iowa Commission on Volunteer Service Bill) has not been enacted.

## 2 5 HEALTH

2 6 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is  
 2 7 appropriated from the general fund of the state to the Iowa  
 2 8 department of public health for the fiscal year beginning July  
 2 9 1, 2005, and ending June 30, 2006, the following amounts, or  
 2 10 so much thereof as is necessary, to be used for the purposes  
 2 11 designated:

General Fund appropriations to the Department of Public Health for FY 2006.

2 12 1. ADDICTIVE DISORDERS  
 2 13 For reducing the prevalence of use of tobacco, alcohol, and  
 2 14 other drugs, and treating individuals affected by addictive  
 2 15 behaviors, including gambling, and for not more than the  
 2 16 following full-time equivalent positions:  
 2 17 ..... \$ 1,258,710  
 2 18 ..... FTEs 6.45

General Fund appropriation to the Addictive Disorders Program.

DETAIL: This is a decrease of \$8,401 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- A decrease of \$7,200 to eliminate funding for the Substance Abuse Commission. Individuals representing substance abuse concerns will be appointed to the State Board of Health.
- A decrease of \$1,201 due to the transfer of health insurance premium savings to Resource Management in FY 2005.

2 19 The department and any grantee or subgrantee of the  
 2 20 department shall not discriminate against a nongovernmental

Prohibits the Department from discriminating against religious organizations that provide substance abuse treatment and prevention

2 21 organization that provides substance abuse treatment and  
 2 22 prevention services or applies for funding to provide those  
 2 23 services on the basis that the organization has a religious  
 2 24 character.

services or apply for funding to provide these services.

2 25 2. ADULT WELLNESS

General Fund appropriation to the Adult Wellness Program.

2 26 For maintaining or improving the health status of adults,  
 2 27 with target populations between the ages of 18 through 60:  
 2 28 ..... \$ 304,067

DETAIL: Maintains current level of General Fund support.

2 29 3. CHILD AND ADOLESCENT WELLNESS

General Fund appropriation to the Child and Adolescent Wellness Program.

2 30 For promoting the optimum health status for children and  
 2 31 adolescents from birth through 21 years of age, and for not  
 2 32 more than the following full-time equivalent positions:  
 2 33 ..... \$ 862,592  
 2 34 ..... FTEs 6.65

DETAIL: This is a decrease of \$53,211 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- A decrease of \$53,169 to eliminate State funding for the Perinatal Program.
- A decrease of \$42 due to the transfer of health insurance premium savings to Resource Management in FY 2005.

2 35 4. CHRONIC CONDITIONS

General Fund appropriation to the Chronic Conditions Program.

3 1 For serving individuals identified as having chronic  
 3 2 conditions or special health care needs, and for not more than  
 3 3 the following full-time equivalent positions:  
 3 4 ..... \$ 1,295,342  
 3 5 ..... FTEs 1.35

DETAIL: This is an increase of \$449,479 and 0.50 FTE position compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$300,000 to replace the loss of funding from previous years for Child Health Specialty Clinics.
- An increase of \$100,000 to serve 33 additional clients under the AIDS Drug Assistance Program (ADAP).
- An increase of \$50,000 and 0.50 FTE position to establish a Hepatitis C Campaign for veterans.
- A decrease of \$521 due to the transfer of health insurance premium savings to Resource Management in FY 2005.

3 6 Of the funds appropriated in this subsection, not more than  
 3 7 \$100,000 shall be used to leverage federal funding through the  
 3 8 federal Ryan White Care Act, Title II, AIDS drug assistance  
 3 9 program supplemental drug treatment grants.

Requires that not more than \$100,000 be used to leverage federal AIDS Drug Assistance Program (ADAP) funds.

3 10 5. COMMUNITY CAPACITY

3 11 For strengthening the health care delivery system at the  
 3 12 local level, and for not more than the following full-time  
 3 13 equivalent positions:

3 14 ..... \$ 1,264,299  
 3 15 ..... FTEs 9.90

General Fund appropriation to the Community Capacity Program.

DETAIL: This is a decrease of \$3,060 and no change in FTE positions compared to the estimated net FY 2005 appropriation due to the transfer of health insurance premium savings to Resource Management in FY 2005.

3 16 Of the funds appropriated in this subsection, \$100,000 is  
 3 17 allocated for a child vision screening program implemented  
 3 18 through the university of Iowa hospitals and clinics in  
 3 19 collaboration with community empowerment areas.

Requires an allocation of \$100,000 for a child vision-screening program to be implemented through the University of Iowa Hospitals and Clinics in collaboration with Community Empowerment areas.

DETAIL: Maintains current allocation level.

3 20 6. ELDERLY WELLNESS

3 21 For optimizing the health of persons 60 years of age and  
 3 22 older:

3 23 ..... \$ 9,233,985

General Fund appropriation to the Elderly Wellness Program.

DETAIL: Maintains current level of General Fund support.

3 24 7. ENVIRONMENTAL HAZARDS

3 25 For reducing the public's exposure to hazards in the  
 3 26 environment, primarily chemical hazards, and for not more than  
 3 27 the following full-time equivalent positions:

3 28 ..... \$ 401,808  
 3 29 ..... FTEs 1.50

General Fund appropriation to the Environmental Hazards Program.

DETAIL: This is an increase of \$150,000 and 1.00 FTE position compared to the estimated net FY 2005 appropriation for childhood lead poisoning prevention activities.

3 30 8. INFECTIOUS DISEASES

3 31 For reducing the incidence and prevalence of communicable  
 3 32 diseases, and for not more than the following full-time

General Fund appropriation to the Infectious Diseases Program.

DETAIL: This is a decrease of \$1,664 and no change in FTE

3 33 equivalent positions:	positions compared to the estimated net FY 2005 appropriation due to the transfer of health insurance premium savings to Resource Management in FY 2005.
3 34 ..... \$ 1,078,039	
3 35 ..... FTEs 5.25	
4 1 9. INJURIES	General Fund appropriation to the Injuries Program.
4 2 For providing support and protection to victims of abuse or	
4 3 injury, or programs that are designed to prevent abuse or	
4 4 injury, and for not more than the following full-time	DETAIL: This is a decrease of \$335,207 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The change includes:
4 5 equivalent positions:	
4 6 ..... \$ 1,044,151	
4 7 ..... FTEs 1.80	<ul style="list-style-type: none"> <li>• A decrease of \$335,107 for the Healthy Opportunities for Parents to Experience Success (HOPES) Program.</li> <li>• A decrease of \$100 due to the transfer of health insurance premium savings to Resource Management in FY 2005.</li> </ul>
4 8 Of the funds appropriated in this subsection, not more than	Limits the amount to be used to fund the HOPES Program to \$335,107.
4 9 \$335,107 shall be used for the healthy opportunities to	
4 10 experience success (HOPES) - healthy families Iowa (HFI)	
4 11 program established pursuant to section 135.106.	
4 12 Of the funds appropriated in this subsection, \$643,500	Requires \$643,500 be allocated to the Emergency Medical Services Fund.
4 13 shall be credited to the emergency medical services fund	
4 14 created in section 135.25.	DETAIL: Maintains the current allocation level. The funds are used for training and equipment provided through the Emergency Medical Services (EMS) Program.
4 15 10. PUBLIC PROTECTION	General Fund appropriation to the Public Protection Program.
4 16 For protecting the health and safety of the public through	
4 17 establishing standards and enforcing regulations, and for not	
4 18 more than the following full-time equivalent positions:	DETAIL: This is an increase of \$200,251 and 3.65 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:
4 19 ..... \$ 6,820,423	
4 20 ..... FTEs 110.05	<ul style="list-style-type: none"> <li>• An increase of \$200,000 and 3.00 FTE positions for additional staff, lab resources, and other support for the State Medical</li> </ul>

		<p>Examiner's new lab facility.</p> <ul style="list-style-type: none"> <li>• An increase of \$60,390 and 0.65 FTE position due to the transfer of the Hearing Impaired Licensure Board.</li> <li>• A decrease of \$51,309 to eliminate State funds for the Polychlorinated Biphenyls (PCB) Program. It is anticipated that federal funds will cover the cost of the Program.</li> <li>• A decrease of \$8,830 due to the transfer of health insurance premium savings to Resource Management in FY 2005.</li> </ul>
4 21	11. RESOURCE MANAGEMENT	General Fund appropriation to the Resource Management Program.
4 22	For establishing and sustaining the overall ability of the	
4 23	department to deliver services to the public, and for not more	
4 24	than the following full-time equivalent positions:	DETAIL: This is an increase of \$15,808 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The change includes:
4 25	..... \$ 994,442	
4 26	..... FTEs 3.00	<ul style="list-style-type: none"> <li>• An increase of \$17,114 due to the transfer of health insurance premium savings to Resource Management in FY 2005.</li> <li>• A decrease of \$1,306 due to a technical adjustment.</li> </ul>
4 27	12. The university of Iowa hospitals and clinics under the	
4 28	control of the state board of regents shall not receive	Prohibits the University of Iowa Hospitals and Clinics from receiving indirect costs from programs funded with appropriations to the Department.
4 29	indirect costs from the funds appropriated in this section.	
4 30	13. A local health care provider or nonprofit health care	
4 31	organization seeking grant moneys administered by the Iowa	Requires a health care provider seeking a grant from the Department of Public Health to provide documentation of efforts to coordinate services at the local level.
4 32	department of public health shall provide documentation that	
4 33	the provider or organization has coordinated its services with	
4 34	other local entities providing similar services.	
4 35	14. a. The department shall apply for available federal	
5 1	funds for sexual abstinence education programs.	Requires the Department of Public Health to apply for available federal funds for sexual abstinence education programs.
5 2	b. It is the intent of the general assembly to comply with	Specifies that it is the intent of the General Assembly to comply with



5 3 the United States Congress' intent to provide education that  
 5 4 promotes abstinence from sexual activity outside of marriage  
 5 5 and reduces pregnancies, by focusing efforts on those persons  
 5 6 most likely to father and bear children out of wedlock.

the intent of the United States Congress to provide sexual abstinence education.

5 7 c. Any sexual abstinence education program awarded moneys  
 5 8 under the grant program shall meet the definition of  
 5 9 abstinence education in the federal law. Grantees shall be  
 5 10 evaluated based upon the extent to which the abstinence  
 5 11 program successfully communicates the goals set forth in the  
 5 12 federal law.

Requires sexual abstinence programs awarded moneys under the Abstinence Education Initiative to meet the federal definition of abstinence education. Also, requires an evaluation of grantees based on the goals set forth in federal law.

5 13 Sec. 3. GAMBLING TREATMENT FUND -- APPROPRIATION. In lieu  
 5 14 of the appropriation made in section 135.150, subsection 1,  
 5 15 there is appropriated from funds available in the gambling  
 5 16 treatment fund created in section 135.150 to the Iowa  
 5 17 department of public health for the fiscal year beginning July  
 5 18 1, 2005, and ending June 30, 2006, the following amount, or so  
 5 19 much thereof as is necessary, to be used for the purposes  
 5 20 designated:

Gambling Treatment Fund appropriations to the Department of Public Health for FY 2006.

5 21 1. ADDICTIVE DISORDERS  
 5 22 To be utilized for the benefit of persons with addictions:  
 5 23 ..... \$ 1,690,000

Gambling Treatment Fund appropriation for the Addictive Disorders Program.

DETAIL: Maintains the current level of Gambling Treatment Fund support.

5 24 2. GAMBLING TREATMENT PROGRAM  
 5 25 The funds in the gambling treatment fund after the  
 5 26 appropriation in subsection 1 is made are appropriated to the  
 5 27 department to be used for funding of administrative costs and  
 5 28 to provide programs which may include, but are not limited to,  
 5 29 outpatient and follow-up treatment for persons affected by  
 5 30 problem gambling, rehabilitation and residential treatment

Requires that the remaining balance in the Gambling Treatment Fund, after the appropriation to the Addictive Disorders Program, be appropriated to the Gambling Treatment Program.

DETAIL: It is estimated that \$6,400,000 will be available in FY 2006, which is no change compared to estimated net FY 2005.

5 31 programs, information and referral services, education and  
 5 32 preventive services, and financial management services.

5 33 COMMISSION OF VETERANS AFFAIRS

5 34 Sec. 4. COMMISSION OF VETERANS AFFAIRS. There is  
 5 35 appropriated from the general fund of the state to the  
 6 1 commission of veterans affairs for the fiscal year beginning  
 6 2 July 1, 2005, and ending June 30, 2006, the following amounts,  
 6 3 or so much thereof as is necessary, to be used for the  
 6 4 purposes designated:

6 5 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION  
 6 6 For salaries, support, maintenance, miscellaneous purposes,  
 6 7 including the war orphans educational aid fund established  
 6 8 pursuant to chapter 35, and for not more than the following  
 6 9 full-time equivalent positions:  
 6 10 ..... \$ 295,717  
 6 11 ..... FTEs 4.00

General Fund appropriation for the Commission of Veterans Affairs.

DETAIL: Maintains current level of General Fund support and FTE positions.

6 12 a. Of the funds appropriated in this subsection, \$75,000  
 6 13 shall be used by the commission to contract with the  
 6 14 department of elder affairs to utilize local veterans affairs  
 6 15 commissions and the retired and senior volunteers program to  
 6 16 increase the utilization by eligible individuals of benefits  
 6 17 available through the federal department of veterans affairs.

Requires that the Commission of Veterans Affairs use \$75,000 to contract with the Department of Elder Affairs to increase federal veteran pension benefits.

6 18 b. Of the funds appropriated in this subsection, \$25,000  
 6 19 shall be used for the commission's costs associated with the  
 6 20 contracts implemented under paragraph "a".

Requires that the Commission of Veteran Affairs use \$25,000 for the effort to increase federal pension benefits.

6 21 2. IOWA VETERANS HOME  
 6 22 For salaries, support, maintenance, miscellaneous purposes,

General Fund appropriation to the Iowa Veterans Home.

6 23 and for not more than the following full-time equivalent  
 6 24 positions:  
 6 25 ..... \$ 16,309,443  
 6 26 ..... FTEs 855.22

DETAIL: Maintains current level of General Fund support and FTE positions.

6 27 HUMAN SERVICES

6 28 Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
 6 29 GRANT. There is appropriated from the fund created in section  
 6 30 8.41 to the department of human services for the fiscal year  
 6 31 beginning July 1, 2005, and ending June 30, 2006, from moneys  
 6 32 received under the federal temporary assistance for needy  
 6 33 families (TANF) block grant pursuant to the federal Personal  
 6 34 Responsibility and Work Opportunity Reconciliation Act of  
 6 35 1996, Pub. L. No. 104-193, and successor legislation, which  
 7 1 are federally appropriated for the federal fiscal years  
 7 2 beginning October 1, 2004, and ending September 30, 2005, and  
 7 3 beginning October 1, 2005, and ending September 30, 2006, the  
 7 4 following amounts, or so much thereof as is necessary, to be  
 7 5 used for the purposes designated:

Temporary Assistance for Needy Families (TANF) FY 2006 Block Grant Fund appropriation.

DETAIL: The federal government implemented Federal Welfare Reform on August 22, 1996. Federal Welfare Reform changed the funding for the Family Investment Program (FIP) from a matching program to a block grant of federal funds. Unless changed by federal action, Iowa's grant will remain constant from federal fiscal year (FFY) 1998 to FFY 2006 at \$131,524,959 per year, regardless of changes in caseload or costs.

7 6 1. To be credited to the family investment program account  
 7 7 and used for assistance under the family investment program  
 7 8 under chapter 239B:  
 7 9 ..... \$ 44,277,569

TANF FY 2006 Block Grant appropriation for the FIP Account.

DETAIL: This is a decrease of \$1,000,000 compared to the estimated net FY 2005 appropriation due to lower estimates of the number of individuals receiving benefits under the Family Investment Program for FY 2005 and FY 2006.

7 10 2. To be credited to the family investment program account  
 7 11 and used for the job opportunities and basic skills (JOBS)  
 7 12 program, and implementing family investment agreements, in  
 7 13 accordance with chapter 239B:  
 7 14 ..... \$ 13,412,794

TANF FY 2006 Block Grant appropriation for the Promise Jobs Program.

DETAIL: Maintains the current level of TANF support.

7 15 3. For field operations:

TANF FY 2006 Block Grant appropriation for Field Operations.

7 16 ..... \$ 16,702,033

DETAIL: This is an increase of \$421,779 compared to the estimated net FY 2005 appropriation.

7 17 4. For general administration:

7 18 ..... \$ 3,730,547

TANF FY 2006 Block Grant appropriation for General Administration.

DETAIL: This is an increase of \$70,517 compared to the estimated net FY 2005 appropriation.

7 19 5. For local administrative costs:

7 20 ..... \$ 2,181,296

TANF FY 2006 Block Grant appropriation for Local Administrative Costs.

DETAIL: This is an increase of \$44,731 compared to the estimated net FY 2005 appropriation.

7 21 6. For state child care assistance:

7 22 ..... \$ 14,556,560

TANF FY 2006 Block Grant appropriation for Child Care Assistance.

DETAIL: This is a decrease of \$3,517,186 compared to the estimated net FY 2005 appropriation.

7 23 a. Of the funds appropriated in this subsection, \$200,000  
7 24 shall be used for provision of educational opportunities to  
7 25 registered child care home providers in order to improve  
7 26 services and programs offered by this category of providers  
7 27 and to increase the number of providers. The department may  
7 28 contract with institutions of higher education or child care  
7 29 resource and referral centers to provide the educational  
7 30 opportunities. Allowable administrative costs under the  
7 31 contracts shall not exceed 5 percent. The application for a  
7 32 grant shall not exceed two pages in length.

Requires that the Department of Human Services (DHS) use \$200,000 for training of registered child care home providers. Permits the DHS to contract with colleges or child care resource centers and specifies requirements for funding the grants and the application form for the grant.

7 33 b. The funds appropriated in this subsection shall be  
7 34 transferred to the child care and development block grant  
7 35 appropriation.

Requires that funds appropriated be transferred to the Child Care and Development Block Grant.

8 1 7. For mental health and developmental disabilities  
 8 2 community services:  
 8 3 ..... \$ 4,798,979

TANF FY 2006 Block Grant appropriation for Mental Health and Developmental Disabilities Community Services.

DETAIL: This is an increase of \$298,369 compared to the estimated net FY 2005 appropriation.

8 4 8. For child and family services:  
 8 5 ..... \$ 31,538,815

TANF FY 2006 Block Grant appropriation for Child and Family Services.

DETAIL: This is a decrease of \$1,936,913 compared to the estimated net FY 2005 appropriation.

8 6 9. For child abuse prevention grants:  
 8 7 ..... \$ 250,000

TANF FY 2006 Block Grant appropriation for Child Abuse Prevention Grants.

DETAIL: Maintains the current level of TANF support.

8 8 10. For pregnancy prevention grants on the condition that  
 8 9 family planning services are funded:  
 8 10 ..... \$ 2,520,037

TANF FY 2006 Block Grant appropriation for pregnancy prevention grants on the condition that family planning services are funded.

DETAIL: This is an increase of \$5,624 compared to the estimated net FY 2005 appropriation.

8 11 a. If the department receives approval of a waiver from  
 8 12 the centers for Medicare and Medicaid services of the United  
 8 13 States department of health and human services to provide  
 8 14 family planning services, of the amount appropriated in this  
 8 15 subsection, \$533,580 shall be transferred to the appropriation  
 8 16 in this Act for child and family services.

Allocates \$533,580 to Child and Family Services if a waiver related to family planning services is approved by the federal government.

8 17 b. Pregnancy prevention grants shall be awarded to  
 8 18 programs in existence on or before July 1, 2005, if the  
 8 19 programs are comprehensive in scope and have demonstrated  
 8 20 positive outcomes. Grants shall be awarded to pregnancy

Requires the recipients of pregnancy prevention grants to meet certain requirements of comprehensiveness and demonstration of positive outcomes. Requires that pregnancy prevention grants from the Temporary Assistance for Needy Families (TANF) include the requirement that sexual abstinence be emphasized. Specifies that

8 21 prevention programs which are developed after July 1, 2005, if  
 8 22 the programs are comprehensive in scope and are based on  
 8 23 existing models that have demonstrated positive outcomes.  
 8 24 Grants shall comply with the requirements provided in 1997  
 8 25 Iowa Acts, chapter 208, section 14, subsections 1 and 2,  
 8 26 including the requirement that grant programs must emphasize  
 8 27 sexual abstinence. Priority in the awarding of grants shall  
 8 28 be given to programs that serve areas of the state which  
 8 29 demonstrate the highest percentage of unplanned pregnancies of  
 8 30 females of childbearing age within the geographic area to be  
 8 31 served by the grant.

priority in awarding the grants should be given to programs in areas of the State that have the highest percentage of unplanned adolescent pregnancies of females of childbearing age within the geographic area served by the grant.

8 32 11. For technology needs and other resources necessary to  
 8 33 meet federal welfare reform reporting, tracking, and case  
 8 34 management requirements:  
 8 35 ..... \$ 1,037,186

TANF FY 2006 Block Grant appropriation for federal welfare reform reporting, tracking, and case management technology and resource needs.

DETAIL: Maintains the current level of TANF support.

9 1 12. For the healthy opportunities for parents to  
 9 2 experience success (HOPES) program administered by the Iowa  
 9 3 department of public health to target child abuse prevention:  
 9 4 ..... \$ 200,000

TANF FY 2006 Block Grant appropriation for the Healthy Opportunities for Parents to Experience Success (HOPES) Program.

DETAIL: Maintains the current level of TANF support.

9 5 13. To be credited to the state child care assistance  
 9 6 appropriation made in this section to be used for funding of  
 9 7 community-based early childhood programs targeted to children  
 9 8 from birth through five years of age, developed by community  
 9 9 empowerment areas as provided in section 28.9, as amended by  
 9 10 this Act:  
 9 11 ..... \$ 7,350,000

TANF FY 2006 Block Grant appropriation to fund community-based programs for children from birth to age five as developed by community empowerment areas.

DETAIL: Maintains the current level of TANF support.

9 12 The department shall transfer TANF block grant funding  
 9 13 appropriated and allocated in this subsection to the child  
 9 14 care and development block grant appropriation in accordance

Requires the DHS to transfer TANF funds to the Child Care and Development Block Grant.

9 15 with federal law as necessary to comply with the provisions of  
9 16 this subsection.

9 17 14. For a pilot program to be established in a judicial  
9 18 district, selected by the department and the judicial council,  
9 19 to provide employment and support services to delinquent child  
9 20 support obligors as an alternative to commitment to jail as  
9 21 punishment for contempt of court:  
9 22 ..... \$ 200,000

TANF FY 2006 Block Grant appropriation for a pilot program for delinquent child support obligors.

DETAIL: Maintains the current level of TANF support.

9 23 Of the amounts appropriated in this section, \$12,808,841  
9 24 for the fiscal year beginning July 1, 2005, shall be  
9 25 transferred to the appropriation of the federal social  
9 26 services block grant for that fiscal year. If the federal  
9 27 government revises requirements to reduce the amount that may  
9 28 be transferred to the federal social services block grant, it  
9 29 is the intent of the general assembly to act expeditiously  
9 30 during the 2006 legislative session to adjust appropriations  
9 31 or the transfer amount or take other actions to address the  
9 32 reduced amount.

Requires that \$12,808,841 of the federal TANF funds appropriated in this Section be transferred to the federal Social Services Block Grant appropriation.

DETAIL: Increases the transfer amount by \$904,107 compared to the estimated FY 2005 transfer amount.

9 33 Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.

9 34 1. Moneys credited to the family investment program (FIP)  
9 35 account for the fiscal year beginning July 1, 2005, and ending  
10 1 June 30, 2006, shall be used to provide assistance in  
10 2 accordance with chapter 239B.

Requires that the funds credited to the Family Investment Program (FIP) account for FY 2006 be used as specified.

10 3 2. The department may use a portion of the moneys credited  
10 4 to the FIP account under this section as necessary for  
10 5 salaries, support, maintenance, and miscellaneous purposes and  
10 6 for not more than the following full-time equivalent positions  
10 7 which are in addition to any other full-time equivalent  
10 8 positions authorized in this division of this Act:

Permits the DHS to use FIP funds for various administrative purposes and appropriates 17.33 FTE positions.

DETAIL: This is an increase of 1.00 FTE position compared to the estimated net FY 2005 FTE positions. The additional position is the result of eliminating language from previous years that allowed the

10 9 .....	FTEs 17.33	DHS to exceed the FTE cap by 1.00 FTE position for administering the TANF pregnancy prevention grants and transferring that FTE position to this line-item for that purpose.
10 10 3. Moneys appropriated in this division of this Act and		Requires that TANF Block Grant funds appropriated to the FIP
10 11 credited to the FIP account for the fiscal year beginning July		Account be allocated as specified.
10 12 1, 2005, and ending June 30, 2006, are allocated as follows:		DETAIL: The TANF Block Grant funds allocated in this Bill replace federal matching funds previously received under the Aid to Families with Dependent Children (AFDC) federal funding sources.
10 13 a. For the family development and self-sufficiency grant		Permits the DHS to allocate \$5,133,042 of the FY 2006 General Fund appropriation and TANF funds for the Family Development and Self-Sufficiency (FaDSS) Grant Program.
10 14 program as provided under section 217.12:		
10 15 .....	\$ 5,133,042	DETAIL: Maintains the current level of General Fund and TANF support.
10 16 (1) Of the funds allocated for the family development and		Specifies that a maximum of 5.00% of the allocation is to be spent on administration of Family Development and Self-Sufficiency (FaDSS) Program grants.
10 17 self-sufficiency grant program in this lettered paragraph, not		
10 18 more than 5 percent of the funds shall be used for the		
10 19 administration of the grant program.		
10 20 (2) The department may continue to implement the family		Permits the DHS to continue the statewide expansion of the Family Development and Self-Sufficiency (FaDSS) Program during FY 2006.
10 21 development and self-sufficiency grant program statewide		
10 22 during FY 2005-2006.		
10 23 b. For the diversion subaccount of the FIP account:		Allocates \$2,814,000 of FY 2006 TANF funds for the FIP Diversion Subaccount.
10 24 .....	\$ 2,814,000	DETAIL: Maintains the current level of TANF support.
10 25 (1) A portion of the moneys allocated for the subaccount		Allows a portion of the FIP Diversion funds to be used to administer the FIP Diversion Program.
10 26 may be used for field operations salaries, data management		



10 27 system development, and implementation costs and support  
 10 28 deemed necessary by the director of human services in order to  
 10 29 administer the FIP diversion program.

10 30 (2) Of the funds allocated in this lettered paragraph, not  
 10 31 more than \$250,000 shall be used to develop or continue  
 10 32 community-level parental obligation pilot projects. The  
 10 33 requirements established under 2001 Iowa Acts, chapter 191,  
 10 34 section 3, subsection 5, paragraph "c", subparagraph (3),  
 10 35 shall remain applicable to the parental obligation pilot  
 11 1 projects for fiscal year 2005-2006.

Requires that a maximum of \$250,000 allocated for innovation strategies be used to develop or continue pilot projects to assist parents in meeting child support obligations. Pilot projects may also attempt to prevent family separations. Requires the projects to maximize use of existing community service resources and encourage local financial contributions.

11 2 c. For the food stamp employment and training program:  
 11 3 ..... \$ 64,278

Allocates \$64,278 of the FY 2006 General Fund appropriations for the Food Stamp Employment and Training Program.

DETAIL: Maintains the current level of General Fund support.

11 4 5. Of the child support collections assigned under FIP, an  
 11 5 amount equal to the federal share of support collections shall  
 11 6 be credited to the child support recovery appropriation. Of  
 11 7 the remainder of the assigned child support collections  
 11 8 received by the child support recovery unit, a portion shall  
 11 9 be credited to the FIP account and a portion may be used to  
 11 10 increase recoveries.

Requires that the federal share of child support collections recovered by the State be credited to the Child Support Recovery Unit. The remainder of support collected is credited to the FIP account and the DHS is permitted to use a portion to increase recoveries.

11 11 6. The department may adopt emergency administrative rules  
 11 12 for the family investment, food stamp, and medical assistance  
 11 13 programs, if necessary, to comply with federal requirements.

Permits the DHS to adopt emergency administrative rules for the FIP, Food Stamp Program, and Medical Assistance Program.

11 14 Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is  
 11 15 appropriated from the general fund of the state to the  
 11 16 department of human services for the fiscal year beginning  
 11 17 July 1, 2005, and ending June 30, 2006, the following amount,  
 11 18 or so much thereof as is necessary, to be used for the purpose

General Fund appropriation to the DHS for the FIP, to be credited to the FIP Account.

DETAIL: This is an increase of \$1,239,496 compared to the estimated net FY 2005 appropriation. This includes:

11 19 designated:	
11 20 To be credited to the family investment program (FIP)	
11 21 account and used for family investment program assistance	
11 22 under chapter 239B:	
11 23 ..... \$ 40,316,718	<ul style="list-style-type: none"> <li>• An increase of \$1,512,849 for caseload increases and to fulfill Federal Maintenance of Effort requirements.</li> <li>• An increase of \$50,000 for an Earned Income Tax Credit Initiative.</li> <li>• A decrease of \$323,353 to reflect a FY 2005 carry forward in Electronic Benefit Transfer funds.</li> </ul> <p>The appropriation for the FIP also contains funding for the Promise Jobs Program. The appropriation maintains the current payment levels (\$361.00 per month for a family with two persons and \$426.00 for a family with three persons).</p>
11 24 Of the funds appropriated in this section, \$9,274,134 is	
11 25 allocated for the JOBS program.	<p>General Fund allocation of \$9,274,143 for the Promise Jobs and FaDSS Programs.</p> <p>DETAIL: Maintains the current level of General Fund support.</p>
11 26 Sec. 8. CHILD SUPPORT RECOVERY. There is appropriated	
11 27 from the general fund of the state to the department of human	
11 28 services for the fiscal year beginning July 1, 2005, and	
11 29 ending June 30, 2006, the following amount, or so much thereof	
11 30 as is necessary, to be used for the purposes designated:	
11 31 For child support recovery, including salaries, support,	
11 32 maintenance, and miscellaneous purposes and for not more than	
11 33 the following full-time equivalent positions:	
11 34 ..... \$ 7,829,317	
11 35 ..... FTEs 423.00	<p>General Fund appropriation to the DHS for the Child Support Recovery Unit.</p> <p>DETAIL: This is an increase of \$56,218 and no change in FTE positions compared to the estimated net FY 2005 appropriation. This includes:</p> <ul style="list-style-type: none"> <li>• A decrease of \$67,000 related to savings in HF 477 (Department of Human Services Child Support Recoveries Bill).</li> <li>• An increase of \$123,218 to fully fund the Unit's existing FTE positions.</li> </ul>
12 1 1. The department shall expend up to \$31,000, including	
12 2 federal financial participation, for the fiscal year beginning	
12 3 July 1, 2005, for a child support public awareness campaign.	
12 4 The department and the office of the attorney general shall	
12 5 cooperate in continuation of the campaign. The public	<p>Requires the DHS to expend no more than \$31,000 during FY 2005 for a child support public awareness campaign. The funding limitation includes federal funds. The campaign is to be operated in cooperation with the Office of the Attorney General and is to emphasize parental involvement and financial support.</p>

12 6 awareness campaign shall emphasize, through a variety of media  
 12 7 activities, the importance of maximum involvement of both  
 12 8 parents in the lives of their children as well as the  
 12 9 importance of payment of child support obligations.

DETAIL: Maintains the current level of General Fund support.

12 10 2. Federal access and visitation grant moneys shall be  
 12 11 issued directly to private not-for-profit agencies that  
 12 12 provide services designed to increase compliance with the  
 12 13 child access provisions of court orders, including but not  
 12 14 limited to neutral visitation site and mediation services.

Specifies the process for utilization of receipts from federal Access and Visitation Grants.

12 15 Sec. 9. MEDICAL ASSISTANCE. There is appropriated from  
 12 16 the general fund of the state to the department of human  
 12 17 services for the fiscal year beginning July 1, 2005, and  
 12 18 ending June 30, 2006, the following amount, or so much thereof  
 12 19 as is necessary, to be used for the purpose designated:  
 12 20 For medical assistance reimbursement and associated costs  
 12 21 as specifically provided in the reimbursement methodologies in  
 12 22 effect on June 30, 2005, except as otherwise expressly  
 12 23 authorized by law, including reimbursement for abortion  
 12 24 services, which shall be available under the medical  
 12 25 assistance program only for those abortions which are  
 12 26 medically necessary:  
 12 27 ..... \$524,510,863

General Fund appropriation to the DHS for the Medical Assistance Program.

DETAIL: This is a net increase of \$171,700,795 compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$300,000 for a Request for Proposal to increase audit compliance efforts and increase training and technical assistance for non-traditional Medicaid providers.
- An increase of \$63,600,000 to adjust the FY 2006 base for the FY 2005 supplemental appropriation.
- An increase of \$51,400,000 to reduce the appropriation for Medicaid from the Senior Living Trust Fund.
- An increase of \$31,392,137 for 3.60% enrollment increases and cost increases.
- An increase of \$14,600,000 to replace a projected shortfall in the Hospital Trust Fund.
- A decrease of \$7,900,000 for contractually required savings from the Iowa Medicaid Enterprise (new fiscal agent contracts).
- An increase of \$3,660,082 for costs associated with implementation of the new Medicare Part D prescription drug benefit, including enrollment increases in Medicaid and operating costs of the low-income subsidy application process.
- A decrease of \$390,000 for an FY 2005 carry forward of Field Operations funding.
- An increase of \$6,000,000 to eliminate the waiting lists for the

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- Home and Community-Based Services Waivers.
- An increase of \$16,474,515 for a 3.00% increase in Medicaid provider reimbursement rates, including:
    - \$3,989,643 for Nursing Facilities.
    - \$4,592,963 for Resource Based Relative Value System.
    - \$4,758,529 for Hospitals.
    - \$3,133,380 for all other Medicaid providers.
  - A decrease of \$121,061 for savings due to bulk purchasing medical supplies and durable medical equipment through a statewide Request for Proposals.
  - A decrease of \$99,427 due to improving provider payment accuracy.
  - A decrease of \$87,626 due to collecting rebates by separately billing J-Code prescription drugs provided in physician offices.
  - A decrease of \$23,608 due to optimizing 90.00% federal match for family planning claiming.
  - A decrease of \$182,060 due to reducing reimbursement for injectible drugs to cost.
  - A decrease of \$400,000 due to aligning reimbursement rates for anesthesiology services with the Medicare Resource-Based Relative Value System.
  - A decrease of \$1,000,000 due to requiring pharmacies to bill all third party payors prior to receiving payment from Medicaid.
  - A decrease of \$273,090 to reduce the size of the data sample used in the calculation of the State Maximum Allowable Cost generic drug reimbursement methodology.
  - A decrease of \$998,000 for savings due to a rule change related to the Ill and Handicapped Waiver that will allow federal matching funds to be used in place of 100.00% State funds.
  - A decrease of \$1,350,000 to eliminate 50.00% of the Non-Direct Care Excess Payment within the Nursing Facilities' case-mix reimbursement system.
  - A decrease of \$2,127,672 to change eligibility for some State Supplementary Assistance categories to allow federal matching funds to replace 100.00% State funds for Medicare premium costs.
  - A decrease of \$773,395 due to savings from requiring all third-party payors to submit their reimbursement rates for review by a new rates commission.

12 28 1. Medically necessary abortions are those performed under  
12 29 any of the following conditions:

12 30 a. The attending physician certifies that continuing the  
12 31 pregnancy would endanger the life of the pregnant woman.

12 32 b. The attending physician certifies that the fetus is  
12 33 physically deformed, mentally deficient, or afflicted with a  
12 34 congenital illness.

12 35 c. The pregnancy is the result of a rape which is reported  
13 1 within 45 days of the incident to a law enforcement agency or  
13 2 public or private health agency which may include a family  
13 3 physician.

13 4 d. The pregnancy is the result of incest which is reported  
13 5 within 150 days of the incident to a law enforcement agency or  
13 6 public or private health agency which may include a family  
13 7 physician.

13 8 e. Any spontaneous abortion, commonly known as a  
13 9 miscarriage, if not all of the products of conception are  
13 10 expelled.

13 11 2. The department shall utilize not more than \$60,000 of  
13 12 the funds appropriated in this section to continue the  
13 13 AIDS/HIV health insurance premium payment program as  
13 14 established in 1992 Iowa Acts, Second Extraordinary Session,  
13 15 chapter 1001, section 409, subsection 6. Of the funds  
13 16 allocated in this subsection, not more than \$5,000 may be  
13 17 expended for administrative purposes.

13 18 3. Of the funds appropriated to the Iowa department of  
13 19 public health for addictive disorders, \$950,000 for the fiscal  
13 20 year beginning July 1, 2005, shall be transferred to the  
13 21 department of human services for an integrated substance abuse  
13 22 managed care system.

Specifies the conditions under which the Medical Assistance Program reimburses providers for abortion services.

DETAIL: This is the same language that has been in the DHS Appropriations Bill for several years.

Requires the DHS to use a maximum of \$60,000 of the funds appropriated for Medical Assistance to continue the Acquired Immune Deficiency Syndrome/Human Immunodeficiency Virus (AIDS/HIV) Health Insurance Premium Payment as established during the Second Extraordinary Session in 1992.

DETAIL: Maintains the current level of General Fund support.

Requires \$950,000 from the Substance Abuse Grants appropriation within the Department of Public Health be transferred to the Medical Assistance Program in the DHS for continuation of the Managed Substance Abuse Treatment Program.

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DETAIL: The Managed Substance Abuse Treatment Program was funded for the first time in FY 1996. Maintains the current level of General Fund support.

13 23 4. If the federal centers for Medicare and Medicaid  
13 24 services approves a waiver request from the department, the  
13 25 department shall provide a period of 12 months of guaranteed  
13 26 eligibility for medical assistance family planning services  
13 27 only, regardless of the change in circumstances of a woman who  
13 28 was a medical assistance recipient when a pregnancy ended.  
13 29 The department shall also provide this guaranteed eligibility  
13 30 to women of childbearing age with countable income at or below  
13 31 200 percent of the federal poverty level.

Requires 24 months of coverage for family planning services under the Medical Assistance Program if a waiver is approved by the federal government.

13 32 5. a. The department shall aggressively pursue options  
13 33 for providing medical assistance or other assistance to  
13 34 individuals with special needs who become ineligible to  
13 35 continue receiving services under the early and periodic  
14 1 screening, diagnosis, and treatment program under the medical  
14 2 assistance program due to becoming 21 years of age, who have  
14 3 been approved for additional assistance through the  
14 4 department's exception to policy provisions, but who have  
14 5 health care needs in excess of the funding available through  
14 6 the exception to policy process.

Requires the DHS to aggressively pursue options for assisting special need individuals who become ineligible for continued services under the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program due to turning 21 years of age. The individuals are to have been approved for additional assistance through the DHS exception to policy process but have health care needs exceeding available funding.

14 7 b. Of the funds appropriated in this section, \$100,000  
14 8 shall be used for participation in one or more pilot projects  
14 9 operated by a private provider to allow the individual or  
14 10 individuals to receive service in the community in accordance  
14 11 with principles established in *Olmstead v. L.C.*, 527 U.S. 581  
14 12 (1999), for the purpose of providing medical assistance or  
14 13 other assistance to individuals with special needs who become  
14 14 ineligible to continue receiving services under the early and  
14 15 periodic screening, diagnosis, and treatment program under the  
14 16 medical assistance program due to becoming 21 years of age,  
14 17 who have been approved for additional assistance through the

14 18 department's exception to policy provisions, but who have  
14 19 health care needs in excess of the funding available through  
14 20 the exception to the policy provisions.

14 21 6. Of the funds available in this section, up to  
14 22 \$3,270,082 may be transferred to the field operations or  
14 23 general administration appropriations in this Act for  
14 24 implementation and operational costs associated with Part D of  
14 25 the federal Medicare Prescription Drug, Improvement, and  
14 26 Modernization Act of 2003, Pub. L. No. 108-173.

Permits the DHS to transfer up to \$3,270,082 to Field Operations or General Administration for implementation costs of the new Medicare Part D prescription drug benefit and low-income subsidy application process.

14 27 7. The department shall expand the health insurance data  
14 28 match program as directed pursuant to 2004 Iowa Acts, chapter  
14 29 1175, section 119, subsection 1, paragraph "c", to also match  
14 30 insureds against a listing of hawk-i program enrollees. The  
14 31 information submitted under the expansion shall be used solely  
14 32 to identify third-party payors for hawk-i program enrollees  
14 33 and shall be kept confidential. The department, in  
14 34 consultation with insurance carriers, shall adopt rules to  
14 35 implement this subsection. The department may adopt emergency  
15 1 rules to implement this subsection and insurance carriers  
15 2 shall begin providing the information required upon adoption  
15 3 of the rules.

Requires the DHS to expand the Health Insurance Data Match Program, which identifies third party payors for Medicaid recipients, to also include the Healthy and Well Kids in Iowa (*hawk-i*) Program.

15 4 8. The department shall modify the methodology in effect  
15 5 as of June 30, 2005, for calculating the state maximum  
15 6 allowable cost reimbursement rates by reducing the sample size  
15 7 required for pricing.

Requires the DHS to reduce the number of data elements required in the calculation of the State Maximum Allowable Cost methodology used for determining reimbursements to pharmacies for generic prescription drugs.

DETAIL: A decrease of \$273,090 has been included in the Medical Assistance appropriation for this change.

15 8 9. The department shall establish a health care cost  
15 9 commission to regularly evaluate reimbursement rates for all

Requires the DHS to establish a Commission to review reimbursement rates for third-party payors and requires all third-party payors and Medicaid providers to submit their reimbursement rates to

15 10 services covered under the medical assistance program and  
15 11 shall require all third-party payors and all providers to  
15 12 report their reimbursement rates annually by December 31 to  
15 13 the commission.

the Commission by December 31 annually.

DETAIL: A decrease of \$773,393 has been included in the Medical Assistance appropriation for this change.

15 14 10. The department, consistent with applicable state and  
15 15 federal law, shall issue one or more requests for proposals to  
15 16 procure medical supplies, including durable medical equipment,  
15 17 through statewide bulk purchasing or mail order under the  
15 18 medical assistance program, if such procurement is projected  
15 19 to reduce the costs of the items to the medical assistance  
15 20 program while maintaining appropriate access and quality  
15 21 standards.

Requires the DHS to issue a Request for Proposals to bulk purchase Durable Medical Equipment and Medical Supplies through a Statewide contract.

DETAIL: A decrease of \$121,061 has been included in the Medical Assistance appropriation for this change.

15 22 11. The department shall provide educational opportunities  
15 23 to providers under the medical assistance program to improve  
15 24 payment accuracy by avoiding mistakes and overbilling.

Requires the DHS to educate providers and improve provider payment accuracy.

DETAIL: A decrease of \$99,427 has been included in the Medical Assistance appropriation for this change.

15 25 12. The department shall enhance the methodologies used  
15 26 for identifying and collecting payment from third-party payors  
15 27 of pharmaceuticals provided to recipients of the medical  
15 28 assistance program, prior to payment of pharmaceutical claims  
15 29 by the medical assistance program.

Requires pharmacies to bill third party payors prior to receiving Medicaid reimbursements.

DETAIL: A decrease of \$1,000,000 has been included in the Medical Assistance appropriation for this change.

15 30 13. The department shall modify billing practices to allow  
15 31 for collection of rebates from prescription drug manufacturers  
15 32 under the medical assistance program for purchase of  
15 33 injectable drugs administered in physicians' offices.

Requires the DHS to modify billing practices to separately identify prescription drugs administered in physician offices to allow for the collection of rebates from the drug manufacturer.

DETAIL: A decrease of \$87,626 has been included in the Medical Assistance appropriation for this change.

15 34 14. The department shall adjust managed care capitation

Requires the DHS to adjust managed care capitation rates to reflect a



15 35 payments from the payment structure in effect as of June 30,  
16 1 2004, to optimize family planning claiming.

90.00% federal match rate for family planning services.

DETAIL: A decrease of \$23,608 has been included in the Medical Assistance appropriation for this change.

16 2 Sec. 10. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There  
16 3 is appropriated from the general fund of the state to the  
16 4 department of human services for the fiscal year beginning  
16 5 July 1, 2005, and ending June 30, 2006, the following amount,  
16 6 or so much thereof as is necessary, to be used for the purpose  
16 7 designated:  
16 8 For administration of the health insurance premium payment  
16 9 program, including salaries, support, maintenance, and  
16 10 miscellaneous purposes, and for not more than the following  
16 11 full-time equivalent positions:  
16 12 ..... \$ 612,574  
16 13 ..... FTEs 20.95

General Fund appropriation to the DHS for the Health Insurance Premium Payment (HIPP) Program.

DETAIL: This is a decrease of \$2,639 and 0.05 FTE position compared to the estimated net FY 2005 appropriation due to a technical adjustment.

16 14 Sec. 11. MEDICAL CONTRACTS. There is appropriated from  
16 15 the general fund of the state to the department of human  
16 16 services for the fiscal year beginning July 1, 2005, and  
16 17 ending June 30, 2006, the following amount, or so much thereof  
16 18 as is necessary, to be used for the purpose designated:  
16 19 For medical contracts, including salaries, support,  
16 20 maintenance, and miscellaneous purposes:  
16 21 ..... \$ 14,711,985

General Fund appropriation to the DHS for Medical Contracts.

DETAIL: This is an increase of \$4,986,950 compared to the estimated net FY 2005 appropriation. The increase is for costs associated with implementation of the Iowa Medicaid Enterprise (the new fiscal agent contracts). The increase is offset by a savings of \$7,900,000 in the Medical Assistance appropriation.

16 22 Sec. 12. STATE SUPPLEMENTARY ASSISTANCE.  
16 23 1. There is appropriated from the general fund of the  
16 24 state to the department of human services for the fiscal year  
16 25 beginning July 1, 2005, and ending June 30, 2006, the  
16 26 following amount, or so much thereof as is necessary, to be  
16 27 used for the purposes designated:  
16 28 For the state supplementary assistance program:

General Fund appropriation to the DHS for State Supplementary Assistance.

DETAIL: This is an increase of \$537,200 compared to the estimated net FY 2005 appropriation, including:

- An increase of \$500,000 for caseload increases.
- An increase of \$37,200 for a payment of \$1.00 per month to

16 29 ..... \$ 19,810,335

qualifying clients. The payment allows the State to access federal matching funds for the Medicare premiums for these individuals.

- A decrease of \$2,127,672 is included in the Medical Assistance appropriation for this change.

16 30 2. The department shall increase the personal needs  
16 31 allowance for residents of residential care facilities by the  
16 32 same percentage and at the same time as federal supplemental  
16 33 security income and federal social security benefits are  
16 34 increased due to a recognized increase in the cost of living.  
16 35 The department may adopt emergency rules to implement this  
17 1 subsection.

Requires the DHS to increase the personal needs allowance of residential care facilities residents at the same rate and time as federal Supplemental Security Income (SSI) and Social Security benefits are increased. Permits the DHS to adopt emergency rules for implementation.

17 2 3. If during the fiscal year beginning July 1, 2005, the  
17 3 department projects that state supplementary assistance  
17 4 expenditures for a calendar year will not meet the federal  
17 5 pass-along requirement specified in Title XVI of the federal  
17 6 Social Security Act, section 1618, as codified in 42 U.S.C. §  
17 7 1382g, the department may take actions including but not  
17 8 limited to increasing the personal needs allowance for  
17 9 residential care facility residents and making programmatic  
17 10 adjustments or upward adjustments of the residential care  
17 11 facility or in-home health-related care reimbursement rates  
17 12 prescribed in this division of this Act to ensure that federal  
17 13 requirements are met. In addition, the department may make  
17 14 other programmatic and rate adjustments necessary to remain  
17 15 within the amount appropriated in this section while ensuring  
17 16 compliance with federal requirements. The department may  
17 17 adopt emergency rules to implement the provisions of this  
17 18 subsection.

Permits the DHS to adjust rates for State Supplementary Assistance to meet federal maintenance of effort requirements. Permits the DHS to adopt emergency rules for implementation.

17 19 Sec. 13. CHILDREN'S HEALTH INSURANCE PROGRAM. There is  
17 20 appropriated from the general fund of the state to the  
17 21 department of human services for the fiscal year beginning

General Fund appropriation to the DHS for the Children's Health Insurance Program, also known as the Healthy and Well Kids in Iowa (*hawk-i*) Program.

17 22 July 1, 2005, and ending June 30, 2006, the following amount,  
 17 23 or so much thereof as is necessary, to be used for the purpose  
 17 24 designated:

17 25 For maintenance of the healthy and well kids in Iowa (hawk-  
 17 26 i) program pursuant to chapter 514I for receipt of federal  
 17 27 financial participation under Title XXI of the federal Social  
 17 28 Security Act, which creates the state children's health  
 17 29 insurance program:

17 30 ..... \$ 16,618,275

DETAIL: This is an increase of \$4,500,000 compared to the estimated net FY 2005 appropriation for caseload and health insurance premium increases, and to replace one-time funds from the *hawk-i* Trust Fund balance.

17 31 Sec. 14. CHILD CARE ASSISTANCE. There is appropriated  
 17 32 from the general fund of the state to the department of human  
 17 33 services for the fiscal year beginning July 1, 2005, and  
 17 34 ending June 30, 2006, the following amount, or so much thereof  
 17 35 as is necessary, to be used for the purpose designated:

18 1 For child care programs:

18 2 ..... \$ 8,350,752

General Fund appropriation to the DHS for the Child Care Assistance Program.

DETAIL: This is an increase of \$3,300,000 compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$2,700,000 to expand eligibility for the Program to 145% of the Federal Poverty Level (FPL). It is estimated that an additional 794 children will be served per month.
- An increase of \$500,000 to implement a Quality Rating System.
- An increase of \$100,000 to expand eligibility for the special needs subsidy to 200% of FPL. It is estimated that an additional 25 children will be served per month.

18 3 1. a. Of the funds appropriated in this section,  
 18 4 \$7,325,228 shall be used for state child care assistance in  
 18 5 accordance with section 237A.13.

Requires that \$7,325,228 of the Child Care Assistance appropriation be used to provide child care assistance for low-income employed Iowans.

DETAIL: This is an increase of \$2,800,000 compared to the allocation in FY 2005 due to the expansion of eligibility for the Program.

18 6 b. The department shall adopt rules to increase the upper  
 18 7 income eligibility requirements under the state child care  
 18 8 assistance program for families from 140 percent of the  
 18 9 federal poverty level to 145 percent of the federal poverty

Requires the DHS to adopt administrative rules that expand eligibility for the Child Care Assistance Program from 140% to 145%, and from 175% to 200% for families with a special needs child.

18 10 level and for families with a special needs child from 175  
18 11 percent of the federal poverty level to 200 percent of the  
18 12 federal poverty level. The department may adopt emergency  
18 13 rules to implement this paragraph.

18 14 2. Of the funds appropriated in this section, \$500,000  
18 15 shall be used for implementation of a quality rating system  
18 16 for child care providers, in accordance with legislation  
18 17 enacted to authorize implementation of the rating system.

Requires that \$500,000 of the Child Care Assistance appropriation be used to implement a Quality Rating System for child care providers.

DETAIL: This is a new allocation for FY 2006.

18 18 3. Nothing in this section shall be construed or is  
18 19 intended as, or shall imply, a grant of entitlement for  
18 20 services to persons who are eligible for assistance due to an  
18 21 income level consistent with the waiting list requirements of  
18 22 section 237A.13. Any state obligation to provide services  
18 23 pursuant to this section is limited to the extent of the funds  
18 24 appropriated in this section.

Specifies that Child Care Assistance Program funds are not an entitlement and that the State's obligation to provide services is limited to the funds available.

18 25 4. Of the funds appropriated in this section, \$525,524 is  
18 26 allocated for the statewide program for child care resource  
18 27 and referral services under section 237A.26.

Allocates \$525,524 for the Statewide Child Care Resource and Referral Program.

DETAIL: Maintains current allocation level.

18 28 5. The department may use any of the funds appropriated in  
18 29 this section as a match to obtain federal funds for use in  
18 30 expanding child care assistance and related programs. For the  
18 31 purpose of expenditures of state and federal child care  
18 32 funding, funds shall be considered obligated at the time  
18 33 expenditures are projected or are allocated to the  
18 34 department's service areas. Projections shall be based on  
18 35 current and projected caseload growth, current and projected  
19 1 provider rates, staffing requirements for eligibility  
19 2 determination and management of program requirements including  
19 3 data systems management, staffing requirements for  
19 4 administration of the program, contractual and grant

Permits funds appropriated for child care to be used as matching funds for federal grants. Also, specifies that funds are obligated when expenditures are projected or allocated to the DHS regions.

DETAIL: This provision was also in effect for FY 2005.

19 5 obligations and any transfers to other state agencies, and  
19 6 obligations for decategorization or innovation projects.

19 7 6. A portion of the state match for the federal child care  
19 8 and development block grant shall be provided through the  
19 9 state general fund appropriation for child development grants  
19 10 and other programs for at-risk children in section 279.51.

Requires that a portion of the State match for the federal Child Care and Development Block Grant be provided from the State appropriation for child development grants and other programs for at-risk children.

19 11 Sec. 15. JUVENILE INSTITUTIONS. There is appropriated  
19 12 from the general fund of the state to the department of human  
19 13 services for the fiscal year beginning July 1, 2005, and  
19 14 ending June 30, 2006, the following amounts, or so much  
19 15 thereof as is necessary, to be used for the purposes  
19 16 designated:

General Fund appropriations to the DHS for juvenile institutions.

19 17 1. For operation of the Iowa juvenile home at Toledo and  
19 18 for salaries, support, maintenance, and for not more than the  
19 19 following full-time equivalent positions:

19 20 ..... \$ 6,201,283  
19 21 ..... FTEs 130.54

General Fund appropriation to the DHS for the Juvenile Home at Toledo.

DETAIL: This is an increase of \$110,000 and no change in FTE positions compared to the estimated net FY 2005 appropriation for substance abuse treatment.

19 22 2. For operation of the state training school at Eldora  
19 23 and for salaries, support, maintenance, and for not more than  
19 24 the following full-time equivalent positions:

19 25 ..... \$ 9,830,692  
19 26 ..... FTEs 218.53

General Fund appropriation to the DHS for the State Training School at Eldora.

DETAIL: This is an increase of \$208,000 and no change in FTE positions compared to the estimated net FY 2005 appropriation for substance abuse treatment.

19 27 3. A portion of the moneys appropriated in this section  
19 28 shall be used by the state training school and by the Iowa  
19 29 juvenile home for grants for adolescent pregnancy prevention  
19 30 activities at the institutions in the fiscal year beginning  
19 31 July 1, 2005.

Requires a portion of the funds for the two juvenile institutions be used for pregnancy prevention in FY 2006.

19 32     Sec. 16. CHILD AND FAMILY SERVICES.

19 33     1. There is appropriated from the general fund of the  
 19 34 state to the department of human services for the fiscal year  
 19 35 beginning July 1, 2005, and ending June 30, 2006, the  
 20 1 following amount, or so much thereof as is necessary, to be  
 20 2 used for the purpose designated:  
 20 3 For child and family services:  
 20 4 ..... \$ 76,508,683

General Fund appropriation to the DHS for Child and Family Services.

DETAIL: This is a decrease of \$20,949,101 compared to the estimated net FY 2005 appropriation. The change includes:

- A decrease of \$28,972,926 to transfer funds to a separate appropriation for the Adoption Subsidy Program.
- An increase of \$4,200,000 to replace one-time funds used in FY 2005.
- An increase of \$2,219,709 to provide a 3.00% rate increase for Residential Treatment Service providers.
- An increase of \$600,000 for child welfare redesign activities.
- An increase of \$439,775 for changes in the federal match rate.
- An increase of \$364,341 for foster family care and independent living maintenance rates.
- An increase of \$200,000 for Child Protection Centers.

20 5 In order to address a reduction of \$5,200,000 from the  
 20 6 amount allocated under this appropriation in prior years for  
 20 7 purposes of juvenile delinquent graduated sanction services,  
 20 8 up to \$5,200,000 of the amount of federal temporary assistance  
 20 9 for needy families block grant funding appropriated in this  
 20 10 division of this Act for child and family services, shall be  
 20 11 made available for purposes of juvenile delinquent graduated  
 20 12 sanction services.

Requires that \$5,200,000 in Temporary Assistance to Needy Families (TANF) funds be utilized for delinquency programs.

DETAIL: This is a decrease of \$1,000,000 in TANF funds compared to the allocation made in FY 2005, which will be offset with an increase in General Funds.

20 13     2. The department may transfer funds appropriated in this  
 20 14 section as necessary to pay the nonfederal costs of services  
 20 15 reimbursed under the medical assistance program or the family  
 20 16 investment program which are provided to children who would  
 20 17 otherwise receive services paid under the appropriation in  
 20 18 this section. The department may transfer funds appropriated

Permits the DHS to transfer funds appropriated for Child and Family Services, General Administration, or Field Operations for the child welfare.

20 19 in this section to the appropriations in this division of this  
20 20 Act for general administration and for field operations for  
20 21 resources necessary to implement and operate the services  
20 22 funded in this section.

20 23 3. a. Of the funds appropriated in this section, up to  
20 24 \$35,883,519 is allocated as the statewide expenditure target  
20 25 under section 232.143 for group foster care maintenance and  
20 26 services.

Allocates up to \$35,883,510 for group care services and maintenance costs.

DETAIL: This is an increase of \$1,230,127 compared to the FY 2005 allocation due to the 3.00% increase for Residential Treatment Service providers.

20 27 b. If at any time after September 30, 2005, annualization  
20 28 of a service area's current expenditures indicates a service  
20 29 area is at risk of exceeding its group foster care expenditure  
20 30 target under section 232.143 by more than 5 percent, the  
20 31 department and juvenile court services shall examine all group  
20 32 foster care placements in that service area in order to  
20 33 identify those which might be appropriate for termination. In  
20 34 addition, any aftercare services believed to be needed for the  
20 35 children whose placements may be terminated shall be  
21 1 identified. The department and juvenile court services shall  
21 2 initiate action to set dispositional review hearings for the  
21 3 placements identified. In such a dispositional review  
21 4 hearing, the juvenile court shall determine whether needed  
21 5 aftercare services are available and whether termination of  
21 6 the placement is in the best interest of the child and the  
21 7 community.

Requires the group foster care expenditure target to be reviewed under certain conditions and requires review hearings when appropriate.

21 8 c. Of the funds allocated in this subsection, \$1,465,009  
21 9 is allocated as the state match funding for 50 highly  
21 10 structured juvenile program beds. If the number of beds  
21 11 provided for in this lettered paragraph is not utilized, the  
21 12 remaining funds allocated may be used for group foster care.

Allocates \$1,465,009 to provide matching funds for 50 highly-structured juvenile program (boot camp) beds.

DETAIL: This is an increase of \$66,606 compared to the FY 2005 allocation due to the 3.00% rate increase for Residential Treatment Service providers.

21 13 d. If House File 538 or other legislation is enacted  
21 14 during the 2005 session of the general assembly providing for  
21 15 submission of an application for federal approval of a waiver  
21 16 to provide coverage under the medical assistance program for  
21 17 children who need behavioral health care services and qualify  
21 18 for the care level provided by a psychiatric medical  
21 19 institution for children licensed under chapter 135H and are  
21 20 in need of treatment to cure or alleviate serious mental  
21 21 illness or disorder, or emotional damage as evidenced by  
21 22 severe anxiety, depression, withdrawal, or untoward aggressive  
21 23 behavior toward self or others and whose parents, guardians,  
21 24 or custodians are unable to provide such treatment, and the  
21 25 waiver is approved, the department may transfer funds  
21 26 appropriated in this section to the appropriation made in this  
21 27 division of this Act for the medical assistance program in  
21 28 order to pay the nonfederal share of the costs incurred under  
21 29 the waiver.

Permits the DHS to transfer funds from the Child and Family Services appropriation to the Medical Assistance Program appropriation if legislation is enacted and federal approval is received to provide certain Child in Need of Assistance (CINA) children Medicaid benefits without court requirements to relinquish parental rights.

21 30 4. In accordance with the provisions of section 232.188,  
21 31 the department shall continue the program to decategorize  
21 32 child welfare services funding. Of the funds appropriated in  
21 33 this section, \$2,000,000 is allocated specifically for  
21 34 expenditure through the decategorization of child welfare  
21 35 funding pools and governance boards established pursuant to  
22 1 section 232.188. In addition, up to \$1,000,000 of the amount  
22 2 of federal temporary assistance for needy families block grant  
22 3 funding appropriated in this division of this Act for child  
22 4 and family services shall be made available for purposes of  
22 5 decategorization of child welfare services as provided in this  
22 6 subsection. Notwithstanding section 8.33, moneys allocated in  
22 7 this subsection that remain unencumbered or unobligated at the  
22 8 close of the fiscal year shall not revert but shall remain  
22 9 available for expenditure for the purposes designated until  
22 10 the close of the succeeding fiscal year.

CODE: Allocates \$2,000,000 from the General Fund appropriation for Decategorization services. Also, requires \$1,000,000 in Temporary Assistance to Needy Families (TANF) funds to be utilized for this purpose. Also, permits funding allocated for Decategorization services to carry forward into the next fiscal year.

DETAIL: The total amount allocated is \$3,000,000, which maintains the current allocation level.

22 11 5. A portion of the funding appropriated in this section

Permits a portion of the Child and Family Services appropriation to be



22 12 may be used for emergency family assistance to provide other  
22 13 resources required for a family participating in a family  
22 14 preservation or reunification project to stay together or to  
22 15 be reunified.

used for emergency family assistance under specified conditions.

22 16 6. Notwithstanding section 234.35, subsection 1, for the  
22 17 fiscal year beginning July 1, 2005, state funding for shelter  
22 18 care paid pursuant to section 234.35, subsection 1, paragraph  
22 19 "h", shall be limited to \$7,252,955.

CODE: Limits State funding for shelter care to \$7,252,955.

DETAIL: This is an increase of \$326,237 compared to the FY 2005 allocation due to the 3.00% rate increase for Residential Treatment Service providers.

22 20 7. Federal funds received by the state during the fiscal  
22 21 year beginning July 1, 2005, as the result of the expenditure  
22 22 of state funds appropriated during a previous state fiscal  
22 23 year for a service or activity funded under this section, are  
22 24 appropriated to the department to be used as additional  
22 25 funding for services and purposes provided for under this  
22 26 section. Notwithstanding section 8.33, moneys received in  
22 27 accordance with this subsection that remain unencumbered or  
22 28 unobligated at the close of the fiscal year shall not revert  
22 29 to any fund but shall remain available for the purposes  
22 30 designated until the close of the succeeding fiscal year.

CODE: Requires that federal funds received in FY 2006 after the expenditure of related State funds be used for Child Welfare services. Also, requires that moneys received in accordance with this Subsection that remain unencumbered or unobligated at the end of FY 2005 not revert but remain available until the close of FY 2006.

22 31 8. Of the moneys appropriated in this section, not more  
22 32 than \$442,100 is allocated to provide clinical assessment  
22 33 services as necessary to continue funding of children's  
22 34 rehabilitation services under medical assistance in accordance  
22 35 with federal law and requirements. The funding allocated is  
23 1 the amount projected to be necessary for providing the  
23 2 clinical assessment services.

Allows a maximum of \$442,100 for Clinical Assessment Services.

DETAIL: Maintains the current allocation level.

23 3 9. Of the funding appropriated in this section, \$3,696,285  
23 4 shall be used for protective child care assistance.

Requires that \$3,696,285 be used for protective child care assistance.

DETAIL: Maintains the current allocation level.

23 5 10. Of the moneys appropriated in this section, up to  
23 6 \$2,859,851 is allocated for the payment of the expenses of  
23 7 court-ordered services provided to juveniles which are a  
23 8 charge upon the state pursuant to section 232.141, subsection

Allocates up to \$2,859,851 to be used for court-ordered services provided to juveniles.

DETAIL: Maintains the current allocation level.

23 9 4. Of the amount allocated in this subsection, up to  
23 10 \$1,431,597 shall be made available to provide school-based  
23 11 supervision of children adjudicated under chapter 232, of  
23 12 which not more than \$15,000 may be used for the purpose of  
23 13 training. A portion of the cost of each school-based liaison  
23 14 officer shall be paid by the school district or other funding  
23 15 source as approved by the chief juvenile court officer.

Allocates \$1,431,597 for school-based supervision of delinquent children, limits training funds to \$15,000, and requires that a portion of the cost for school-based liaisons be paid by school districts.

DETAIL: Maintains current allocation levels.

23 16 a. Notwithstanding section 232.141 or any other provision  
23 17 of law to the contrary, the amount allocated in this  
23 18 subsection shall be distributed to the judicial districts as  
23 19 determined by the state court administrator. The state court  
23 20 administrator shall make the determination of the distribution  
23 21 amounts on or before June 15, 2005.

CODE: Requires allocations to the DHS districts be made according to a formula determined by the State Court Administrator by June 15, 2005.

23 22 b. Notwithstanding chapter 232 or any other provision of  
23 23 law to the contrary, a district or juvenile court shall not  
23 24 order any service which is a charge upon the state pursuant to  
23 25 section 232.141 if there are insufficient court-ordered  
23 26 services funds available in the district court distribution  
23 27 amount to pay for the service. The chief juvenile court  
23 28 officer shall encourage use of the funds allocated in this  
23 29 subsection such that there are sufficient funds to pay for all  
23 30 court-related services during the entire year. The chief  
23 31 juvenile court officers shall attempt to anticipate potential

CODE: Prohibits a court from ordering any service that is a charge to the State if there are insufficient funds to reimburse the service. Requires the Chief Juvenile Court Officer to use the funds in a manner that will cover the entire fiscal year and permits funds to be transferred between districts.

23 32 surpluses and shortfalls in the distribution amounts and shall  
23 33 cooperatively request the state court administrator to  
23 34 transfer funds between the districts' distribution amounts as  
23 35 prudent.

24 1 c. Notwithstanding any provision of law to the contrary, a  
24 2 district or juvenile court shall not order a county to pay for  
24 3 any service provided to a juvenile pursuant to an order  
24 4 entered under chapter 232 which is a charge upon the state  
24 5 under section 232.141, subsection 4.

CODE: Prohibits a district or juvenile court from ordering a county to pay for a service provided to a juvenile that is a charge to the State.

24 6 d. Of the funding allocated in this subsection, not more  
24 7 than \$100,000 may be used by the judicial branch for  
24 8 administration of the requirements under this subsection and  
24 9 for travel associated with court-ordered placements which are  
24 10 a charge upon the state pursuant to section 232.141,  
24 11 subsection 4.

Prohibits the Judicial Branch from using more than \$100,000 for administration and travel costs.

DETAIL: Maintains the current allocation level.

24 12 11. Notwithstanding 2000 Iowa Acts, chapter 1228, section  
24 13 43, the department may operate a subsidized guardianship  
24 14 program if the United States department of health and human  
24 15 services approves a waiver under Title IV-E of the federal  
24 16 Social Security Act or the federal Social Security Act is  
24 17 amended to allow Title IV-E funding to be used for subsidized  
24 18 guardianship, and the subsidized guardianship program can be  
24 19 operated without loss of Title IV-E funds.

CODE: Permits the DHS to operate a subsidized guardianship program if a federal waiver is received and Title IV-E funds are not jeopardized.

24 20 12. Of the amount appropriated in this section, \$300,000  
24 21 shall be transferred to the Iowa department of public health  
24 22 to be used for the child protection center grant program in  
24 23 accordance with section 135.118.

Requires an allocation of \$300,000 be transferred to the Department of Public Health for a Child Protection Center Grant Program.

DETAIL: This is an increase of \$200,000 compared to the FY 2005 allocation.

24 24 13. Of the amount appropriated in this section, \$148,000

Requires an allocation of \$148,000 be used for child welfare diversion

24 25 shall be used for funding of one or more child welfare  
 24 26 diversion and mediation pilot projects as provided in 2004  
 24 27 Iowa Acts, chapter 1130, section 1.

and mediation projects.

DETAIL: Maintains the current allocation level.

24 28 Sec. 17. ADOPTION SUBSIDY.

General Fund appropriation to the DHS for the Adoption Subsidy Program.

24 29 1. There is appropriated from the general fund of the  
 24 30 state to the department of human services for the fiscal year  
 24 31 beginning July 1, 2005, and ending June 30, 2006, the  
 24 32 following amount, or so much thereof as is necessary, to be  
 24 33 used for the purpose designated:

DETAIL: This is a new appropriation of \$32,275,732 for FY 2006, which includes:

24 34 For adoption subsidy payments and services:  
 24 35 ..... \$ 32,275,732

- An increase of \$28,972,924 to transfer funds from the Child and Family Services appropriation.
- An increase of \$2,341,617 for projected caseload growth.
- An increase of \$722,029 for adoption subsidy maintenance rates.
- An increase of \$239,162 for changes in the federal match rate.

25 1 2. The department may transfer funds appropriated in this  
 25 2 section to the appropriations in this Act for child and family  
 25 3 services to be used for adoptive family recruitment and other  
 25 4 services to achieve adoption.

Allows the DHS to transfer funds to be used for adoption recruitment and services.

25 5 3. Federal funds received by the state during the fiscal  
 25 6 year beginning July 1, 2005, as the result of the expenditure  
 25 7 of state funds during a previous state fiscal year for a  
 25 8 service or activity funded under this section, are  
 25 9 appropriated to the department to be used as additional  
 25 10 funding for the services and activities funded under this  
 25 11 section. Notwithstanding section 8.33, moneys received in  
 25 12 accordance with this subsection that remain unencumbered or  
 25 13 unobligated at the close of the fiscal year shall not revert  
 25 14 to any fund but shall remain available for expenditure for the  
 25 15 purposes designated until the close of the succeeding fiscal  
 25 16 year.

CODE: Requires that federal funds received in FY 2006 that are received due to the expenditure of State funds in a previous fiscal year, are to be used for Adoption Subsidy. Permits nonreversion of funds in this Subsection until the close of FY 2006.

25 17 Sec. 18. JUVENILE DETENTION HOME FUND. Moneys deposited

CODE: Requires that funds collected by the Department of

25 18 in the juvenile detention home fund created in section 232.142  
 25 19 during the fiscal year beginning July 1, 2005, and ending June  
 25 20 30, 2006, are appropriated to the department of human services  
 25 21 for the fiscal year beginning July 1, 2005, and ending June  
 25 22 30, 2006, for distribution as follows:

25 23 1. An amount equal to 10 percent of the costs of the  
 25 24 establishment, improvement, operation, and maintenance of  
 25 25 county or multicounty juvenile detention homes in the fiscal  
 25 26 year beginning July 1, 2004. Moneys appropriated for  
 25 27 distribution in accordance with this subsection shall be  
 25 28 allocated among eligible detention homes, prorated on the  
 25 29 basis of an eligible detention home's proportion of the costs  
 25 30 of all eligible detention homes in the fiscal year beginning  
 25 31 July 1, 2004. Notwithstanding section 232.142, subsection 3,  
 25 32 the financial aid payable by the state under that provision  
 25 33 for the fiscal year beginning July 1, 2005, shall be limited  
 25 34 to the amount appropriated for the purposes of this  
 25 35 subsection.

26 1 2. For renewal of a grant to a county with a population  
 26 2 between 189,000 and 196,000 for implementation of the county's  
 26 3 runaway treatment plan under section 232.195:

26 4 ..... \$ 80,000

26 5 3. For continuation and expansion of the community  
 26 6 partnership for child protection sites:

26 7 ..... \$ 318,000

26 8 4. For grants to counties implementing a runaway treatment  
 26 9 plan under section 232.195.

26 10 5. The remainder for additional allocations to county or  
 26 11 multicounty juvenile detention homes, in accordance with the  
 26 12 distribution requirements of subsection 1.

Transportation, pursuant to the Juvenile Services and Pay-For-Stay Program Act of 1997, and deposited into the Juvenile Detention Home Fund be distributed as follows:

- Ten percent of the FY 2005 costs of the Juvenile Homes.
- \$80,000 for the Linn County Runaway Program.
- \$318,000 for continuation and expansion of the community partnership for child protection sites.
- Grants to counties implementing a runaway treatment plan.
- Juvenile detention centers, if funds remain.

26 13 Sec. 19. FAMILY SUPPORT SUBSIDY PROGRAM. There is  
 26 14 appropriated from the general fund of the state to the  
 26 15 department of human services for the fiscal year beginning  
 26 16 July 1, 2005, and ending June 30, 2006, the following amount,  
 26 17 or so much thereof as is necessary, to be used for the purpose

General Fund appropriation for the Family Support Program.

DETAIL: Maintains the current level of General Fund support.

26 18	designated:	
26 19	For the family support subsidy program:	
26 20	..... \$ 1,936,434	
26 21	1. The department may use up to \$333,312 of the moneys	Permits the DHS to use up to \$333,312 to continue the Children-at-
26 22	appropriated in this section to continue the children-at-home	Home Pilot Program and limits administrative funding to \$20,000.
26 23	program in current counties, of which not more than \$20,000	
26 24	shall be used for administrative costs.	DETAIL: Maintains current allocation levels.
26 25	2. Notwithstanding section 225C.38, subsection 1, the	CODE: Requires FY 2006 monthly family support payments remain at
26 26	monthly family support payment amount for the fiscal year	the same level as provided in FY 2005.
26 27	beginning July 1, 2005, shall remain the same as the payment	
26 28	amount in effect on June 30, 2005.	
26 29	Sec. 20. CONNER DECREE. There is appropriated from the	General Fund appropriation to the DHS for Conner Decree training
26 30	general fund of the state to the department of human services	requirements.
26 31	for the fiscal year beginning July 1, 2005, and ending June	
26 32	30, 2006, the following amount, or so much thereof as is	DETAIL: Maintains the current level of General Fund support. The
26 33	necessary, to be used for the purpose designated:	funds are used for training purposes to comply with the Conner v.
26 34	For building community capacity through the coordination	Branstad court decision mandating placement of persons in the least
26 35	and provision of training opportunities in accordance with the	restrictive setting.
27 1	consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.	
27 2	Iowa, July 14, 1994):	
27 3	..... \$ 42,623	
27 4	Sec. 21. MENTAL HEALTH INSTITUTES. There is appropriated	
27 5	from the general fund of the state to the department of human	
27 6	services for the fiscal year beginning July 1, 2005, and	
27 7	ending June 30, 2006, the following amounts, or so much	
27 8	thereof as is necessary, to be used for the purposes	
27 9	designated:	
27 10	1. For the state mental health institute at Cherokee for	General Fund appropriation to the Mental Health Institute at
		Cherokee.

27 11 salaries, support, maintenance, and miscellaneous purposes and  
 27 12 for not more than the following full-time equivalent  
 27 13 positions:  
 27 14 ..... \$ 13,074,889  
 27 15 ..... FTEs 228.00

DETAIL: This is an increase of \$88,500 and no change in FTE positions compared to the estimated net FY 2005 appropriation for the Psychiatric Physician Assistant Program.

27 16 2. For the state mental health institute at Clarinda for  
 27 17 salaries, support, maintenance, and miscellaneous purposes and  
 27 18 for not more than the following full-time equivalent  
 27 19 positions:  
 27 20 ..... \$ 7,439,591  
 27 21 ..... FTEs 113.15

General Fund appropriation to the Mental Health Institute at Clarinda.

DETAIL: Maintains current level of General Fund support and is an increase of 6.75 FTE positions compared to the estimated net FY 2005 appropriation.

27 22 3. For the state mental health institute at Independence  
 27 23 for salaries, support, maintenance, and miscellaneous purposes  
 27 24 and for not more than the following full-time equivalent  
 27 25 positions:  
 27 26 ..... \$ 17,329,091  
 27 27 ..... FTEs 317.80

General Fund appropriation to the Mental Health Institute at Independence.

DETAIL: This is an increase of \$4,200 and no change in FTE positions compared to the estimated net FY 2005 appropriation for the federal matching rate requirements for the Psychiatric Medical Institution for Children (PMIC) portion of the Institute.

27 28 4. For the state mental health institute at Mount Pleasant  
 27 29 for salaries, support, maintenance, and miscellaneous purposes  
 27 30 and for not more than the following full-time equivalent  
 27 31 positions:  
 27 32 ..... \$ 6,131,181  
 27 33 ..... FTEs 100.44

General Fund appropriation to the Mental Health Institute at Mount Pleasant.

DETAIL: Maintains current level of General Fund support and FTE positions.

27 34 Sec. 22. STATE RESOURCE CENTERS. There is appropriated  
 27 35 from the general fund of the state to the department of human  
 28 1 services for the fiscal year beginning July 1, 2005, and  
 28 2 ending June 30, 2006, the following amounts, or so much  
 28 3 thereof as is necessary, to be used for the purposes  
 28 4 designated:

28 5 1. For the state resource center at Glenwood for salaries,  
 28 6 support, maintenance, and miscellaneous purposes:  
 28 7 ..... \$ 12,650,344

General Fund appropriation to the State Resource Center at Glenwood.

DETAIL: This is an increase of \$3,966,419 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$192,034 for the Medicaid match rate.
- An increase of \$891,658 to increase the State funding share due to county capitations.
- An increase of \$1,000,000 to continue the estimated FY 2005 supplemental appropriation.
- An increase of \$777,402 to provide for the decreased federal funding during transition to community settings.
- An increase of \$1,105,325 to complete the funding of vacant positions required in the federal Department of Justice settlement.

The FTE positions included in tracking are an estimate. The General Assembly does not limit the number of FTE positions.

28 8 2. For the state resource center at Woodward for salaries,  
 28 9 support, maintenance, and miscellaneous purposes:  
 28 10 ..... \$ 7,073,088

General Fund appropriation to the State Resource Center at Woodward.

DETAIL: This is an increase of \$2,457,473 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$135,451 for the Medicaid match rate.
- An increase of \$423,322 to increase the State funding share due to county capitations.
- An increase of \$898,700 to complete the funding of vacant positions required in the Federal Department of Justice settlement.
- An increase of \$1,000,000 to continue the FY 2005 estimated supplemental appropriation.

The FTE positions included in tracking are an estimate. The General



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Assembly does not limit the number of FTE positions.

28 11 3. The department may continue to bill for state resource  
28 12 center services utilizing a scope of services approach used  
28 13 for private providers of ICFMR services, in a manner which  
28 14 does not shift costs between the medical assistance program,  
28 15 counties, or other sources of funding for the state resource  
28 16 centers.

Permits the DHS to continue billing practices that do not include cost shifting.

28 17 4. The state resource centers may expand the time limited  
28 18 assessment and respite services during the fiscal year.

Permits the State Resource Centers to expand time-limited assessment and respite services.

DETAIL: Time-limited assessments include analysis of patients' conditions and development of therapy plans to assist families in caring for individuals with mental retardation or developmental disabilities. Respite services provide care for special needs individuals for a limited duration to provide families with a temporary reprieve from caretaking responsibilities.

28 19 5. If the department's administration and the department  
28 20 of management concur with a finding by a state resource  
28 21 center's superintendent that projected revenues can reasonably  
28 22 be expected to pay the salary and support costs for a new  
28 23 employee position, or that such costs for adding a particular  
28 24 number of new positions for the fiscal year would be less than  
28 25 the overtime costs if new positions would not be added, the  
28 26 superintendent may add the new position or positions. If the  
28 27 vacant positions available to a resource center do not include  
28 28 the position classification desired to be filled, the state  
28 29 resource center's superintendent may reclassify any vacant  
28 30 position as necessary to fill the desired position. The  
28 31 superintendents of the state resource centers may, by mutual  
28 32 agreement, pool vacant positions and position classifications  
28 33 during the course of the fiscal year in order to assist one

Specifies that additional positions at the two State Resource Centers may be added under certain projections.

28 34 another in filling necessary positions.

28 35 6. If existing capacity limitations are reached in  
29 1 operating units, a waiting list is in effect for a service or  
29 2 a special need for which a payment source or other funding is  
29 3 available for the service or to address the special need, and  
29 4 facilities for the service or to address the special need can  
29 5 be provided within the available payment source or other  
29 6 funding, the superintendent of a state resource center may  
29 7 authorize opening not more than two units or other facilities  
29 8 and to begin implementing the service or addressing the  
29 9 special need during fiscal year 2005-2006.

Permits a State Resource Center to open certain facilities if a service waiting list exists and funding is available.

29 10 Sec. 23. MI/MR/DD STATE CASES.

General Fund appropriation to the DHS for State Cases.

29 11 1. There is appropriated from the general fund of the  
29 12 state to the department of human services for the fiscal year  
29 13 beginning July 1, 2005, and ending June 30, 2006, the  
29 14 following amount, or so much thereof as is necessary, to be  
29 15 used for the purpose designated:

DETAIL: This is a decrease of \$500,000 compared to the estimated net FY 2005 appropriation, which is offset by requiring the use of a portion of the federal Community Mental Health Services Block Grant.

29 16 For purchase of local services for persons with mental  
29 17 illness, mental retardation, and developmental disabilities  
29 18 where the client has no established county of legal  
29 19 settlement:

29 20 ..... \$ 10,514,619

29 21 2. For the fiscal year beginning July 1, 2005, and ending  
29 22 June 30, 2006, \$500,000 is allocated for state cases from the  
29 23 amounts appropriated from the fund created in section 8.41 to  
29 24 the department of human services from the funds received from  
29 25 the federal government under 42 U.S.C., chapter 6A, subchapter  
29 26 XVII, relating to the community mental health center block  
29 27 grant, for the federal fiscal years beginning October 1, 2003,  
29 28 and ending September 30, 2004, beginning October 1, 2004, and  
29 29 ending September 30, 2005, and beginning October 1, 2005, and  
29 30 ending September 30, 2006. The allocation made in this

Requires that \$500,000 from the Community Mental Health Services Block Grant funds from FFY 2004, FFY 2005, or FFY 2006 be used for the State Cases costs.

29 31 subsection shall be made prior to any other distribution  
29 32 allocation of the appropriated federal funds.

29 33 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES --  
29 34 COMMUNITY SERVICES FUND. There is appropriated from the  
29 35 general fund of the state to the mental health and  
30 1 developmental disabilities community services fund created in  
30 2 section 225C.7 for the fiscal year beginning July 1, 2005, and  
30 3 ending June 30, 2006, the following amount, or so much thereof  
30 4 as is necessary, to be used for the purpose designated:  
30 5 For mental health and developmental disabilities community  
30 6 services in accordance with this division of this Act:  
30 7 ..... \$ 17,757,890

General Fund appropriation for the Mental Health Community Services Fund.

DETAIL: Maintains current level of General Fund support.

30 8 1. Of the funds appropriated in this section, \$17,727,890  
30 9 shall be allocated to counties for funding of community-based  
30 10 mental health and developmental disabilities services. The  
30 11 moneys shall be allocated to a county as follows:  
30 12 a. Fifty percent based upon the county's proportion of the  
30 13 state's population of persons with an annual income which is  
30 14 equal to or less than the poverty guideline established by the  
30 15 federal office of management and budget.  
30 16 b. Fifty percent based upon the county's proportion of the  
30 17 state's general population.

Allocates \$17,727,890 from the Community Services appropriation to counties based on a formula considering the county's population and federal poverty guidelines.

30 18 2. a. A county shall utilize the funding the county  
30 19 receives pursuant to subsection 1 for services provided to  
30 20 persons with a disability, as defined in section 225C.2.  
30 21 However, no more than 50 percent of the funding shall be used  
30 22 for services provided to any one of the service populations.  
30 23 b. A county shall use at least 50 percent of the funding  
30 24 the county receives under subsection 1 for contemporary  
30 25 services provided to persons with a disability, as described  
30 26 in rules adopted by the department.

Requires the funds to be used for services to persons with mental illness, mental retardation, developmental disabilities, and brain injuries. Specifies that no more than 50.00% may be used for any one of these populations. Requires counties to use at least 30.00% of the funding received on contemporary services.

30 27 3. Of the funds appropriated in this section, \$30,000  
 30 28 shall be used to support the Iowa compass program providing  
 30 29 computerized information and referral services for lowans with  
 30 30 disabilities and their families.

Allocates \$30,000 to support the Iowa Compass Program, which provides computerized information and referral services for lowans with developmental disabilities and their families.

DETAIL: Maintains current level of General Fund support.

30 31 4. a. Funding appropriated for purposes of the federal  
 30 32 social services block grant is allocated for distribution to  
 30 33 counties for local purchase of services for persons with  
 30 34 mental illness or mental retardation or other developmental  
 30 35 disability.

Allocates federal funds appropriated in the proposed SF 346 (FFY 2006 Block Grant and Federal Funds Appropriations Bill) from the Social Services Block Grant for distribution to counties for local purchase of services for persons with mental illness, mental retardation, and developmental disabilities.

31 1 b. The funds allocated in this subsection shall be  
 31 2 expended by counties in accordance with the county's approved  
 31 3 county management plan. A county without an approved county  
 31 4 management plan shall not receive allocated funds until the  
 31 5 county's management plan is approved.

Requires that counties expend Social Services Block Grant funds according to their approved county management plans. Prohibits a county from receiving an allocation of Social Services Block Grant funds until the county's plan is approved.

31 6 c. The funds provided by this subsection shall be  
 31 7 allocated to each county as follows:  
 31 8 (1) Fifty percent based upon the county's proportion of  
 31 9 the state's population of persons with an annual income which  
 31 10 is equal to or less than the poverty guideline established by  
 31 11 the federal office of management and budget.  
 31 12 (2) Fifty percent based upon the amount provided to the  
 31 13 county for local purchase of services in the preceding fiscal  
 31 14 year.

Requires the funds provided in this Subsection to be allocated to each county according to a specified formula.

DETAIL: The formula remains unchanged from the FY 1997 formula.

31 15 5. A county is eligible for funds under this section if  
 31 16 the county qualifies for a state payment as described in  
 31 17 section 331.439.

Specifies that a county is eligible for State funding through the Community Mental Health Services Fund if it meets the requirements for receiving Property Tax Relief funds and Allowed Growth funds.

31 18 Sec. 25. SEXUALLY VIOLENT PREDATORS.

General Fund appropriation to the DHS for the Sexual Predator

31 19 1. There is appropriated from the general fund of the  
 31 20 state to the department of human services for the fiscal year  
 31 21 beginning July 1, 2005, and ending June 30, 2006, the  
 31 22 following amount, or so much thereof as is necessary, to be  
 31 23 used for the purpose designated:  
 31 24 For costs associated with the commitment and treatment of  
 31 25 sexually violent predators in the unit located at the state  
 31 26 mental health institute at Cherokee, including costs of legal  
 31 27 services and other associated costs, including salaries,  
 31 28 support, maintenance, miscellaneous purposes, and for not more  
 31 29 than the following full-time equivalent positions:  
 31 30 ..... \$ 3,621,338  
 31 31 ..... FTEs 65.00

Commitment Program.

DETAIL: This is an increase of \$775,000 and 8.00 FTE positions compared to the estimated net FY 2005 appropriation. This includes:

- An increase of \$525,000 to continue the estimated FY 2005 supplemental appropriation.
- An increase of \$250,000 and 8.00 FTE positions to annualize the estimated FY 2005 supplemental appropriation.

31 32 2. Unless specifically prohibited by law, if the amount  
 31 33 charged provides for recoupment of at least the entire amount  
 31 34 of direct and indirect costs, the department of human services  
 31 35 may contract with other states to provide care and treatment  
 32 1 of persons placed by the other states at the unit for sexually  
 32 2 violent predators at Cherokee. The moneys received under such  
 32 3 a contract shall be considered to be repayment receipts and  
 32 4 used for the purposes of the appropriation made in this  
 32 5 section.

Permits the Unit for Commitment of Sexually Violent Predators to accept out-of-state clients when the entire cost is reimbursed.

32 6 Sec. 26. FIELD OPERATIONS. There is appropriated from the  
 32 7 general fund of the state to the department of human services  
 32 8 for the fiscal year beginning July 1, 2005, and ending June  
 32 9 30, 2006, the following amount, or so much thereof as is  
 32 10 necessary, to be used for the purposes designated:  
 32 11 For field operations, including salaries, support,  
 32 12 maintenance, and miscellaneous purposes and for not more than  
 32 13 the following full-time equivalent positions:  
 32 14 ..... \$ 53,519,372  
 32 15 ..... FTEs 1,844.00

General Fund appropriation to the DHS for Field Operations staff and support.

DETAIL: Maintains current level of General Fund support and FTE positions.

32 16 Priority in filling full-time equivalent positions shall be

Requires that priority be given to child protection service FTE

32 17	given to those positions related to child protection services.	positions when filling positions.
32 18	Sec. 27. GENERAL ADMINISTRATION. There is appropriated	General Fund Appropriation to the DHS for General Administration.
32 19	from the general fund of the state to the department of human	
32 20	services for the fiscal year beginning July 1, 2005, and	DETAIL: Maintains current level of General Fund support and
32 21	ending June 30, 2006, the following amount, or so much thereof	specifies a decrease of 3.05 FTE positions to reflect FY 2005
32 22	as is necessary, to be used for the purpose designated:	utilization.
32 23	For general administration, including salaries, support,	
32 24	maintenance, and miscellaneous purposes and for not more than	
32 25	the following full-time equivalent positions:	
32 26	..... \$ 13,312,196	
32 27	..... FTEs 292.00	
32 28	Of the funds appropriated in this section, \$57,000 is	Allocates \$57,000 to the Prevention of Disabilities Policy Council.
32 29	allocated for the prevention of disabilities policy council	
32 30	established in section 225B.3.	DETAIL: Maintains current level of General Fund support.
32 31	Sec. 28. VOLUNTEERS. There is appropriated from the	General Fund appropriation to the DHS for the development and
32 32	general fund of the state to the department of human services	coordination of the Volunteer Services Program.
32 33	for the fiscal year beginning July 1, 2005, and ending June	
32 34	30, 2006, the following amount, or so much thereof as is	DETAIL: Maintains current level of General Fund support.
32 35	necessary, to be used for the purpose designated:	
33 1	For development and coordination of volunteer services:	
33 2	..... \$ 109,568	
33 3	Sec. 29. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY	
33 4	ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER	
THE		
33 5	DEPARTMENT OF HUMAN SERVICES.	
33 6	1. a. (1) For the fiscal year beginning July 1, 2005,	Specifies method of reimbursement to nursing facilities and cost
33 7	nursing facilities shall be reimbursed at 100 percent of the	reporting requirements.

33 8 modified price-based case-mix reimbursement rate. Nursing  
33 9 facilities reimbursed under the medical assistance program  
33 10 shall submit annual cost reports and additional documentation  
33 11 as required by rules adopted by the department.

33 12 (2) For the fiscal year beginning July 1, 2005, the total  
33 13 state funding amount for the nursing facility budget shall not  
33 14 exceed \$158,752,891. The department, in cooperation with  
33 15 nursing facility representatives, shall review projections for  
33 16 state funding expenditures for reimbursement of nursing  
33 17 facilities on a quarterly basis and the department shall  
33 18 determine if an adjustment to the medical assistance  
33 19 reimbursement rate is necessary in order to provide  
33 20 reimbursement within the state funding amount. Any temporary  
33 21 enhanced federal financial participation that may become  
33 22 available to the Iowa medical assistance program during the  
33 23 fiscal year shall not be used in projecting the nursing  
33 24 facility budget. Notwithstanding 2001 Iowa Acts, chapter 192,  
33 25 section 4, subsection 2, paragraph "c", and subsection 3,  
33 26 paragraph "a", subparagraph (2), if the state funding  
33 27 expenditures for the nursing facility budget for the fiscal  
33 28 year beginning July 1, 2005, are projected to exceed the  
33 29 amount specified in this subparagraph, the department shall  
33 30 adjust the inflation factor of the reimbursement rate  
33 31 calculation for only the nursing facilities reimbursed under  
33 32 the case-mix reimbursement system to maintain expenditures of  
33 33 the nursing facility budget within the specified amount.

Caps nursing facility reimbursements and requires the DHS to adjust the inflation factor in the case-mix reimbursement rate if expenditures exceed the cap.

DETAIL: The cap is a net of an increase of \$2,739,643 compared to the FY 2005 cap, including an increase of \$3,989,643 for the 3.00% increase in provider reimbursement rates and a decrease of \$1,250,000 to reduce excess payments for non-direct care by 50.00%.

33 34 b. For the fiscal year beginning July 1, 2005, the  
33 35 department shall reimburse pharmacy dispensing fees using a  
34 1 single rate of \$4.39 per prescription, or the pharmacy's usual  
34 2 and customary fee, whichever is lower.

Specifies the reimbursement rate for pharmacist services using a single dispensing fee of \$4.39 per prescription or the usual and customary fee, whichever is lower.

DETAIL: This is an increase of \$0.13 compared to the FY 2005 dispensing fee due to the 3.00% provider reimbursement rate increase.

34 3 c. For the fiscal year beginning July 1, 2005,  
34 4 reimbursement rates for inpatient and outpatient hospital  
34 5 services shall be increased by 3 percent over the rates in  
34 6 effect on June 30, 2005. The department shall continue the  
34 7 outpatient hospital reimbursement system based upon ambulatory  
34 8 patient groups implemented pursuant to 1994 Iowa Acts, chapter  
34 9 1186, section 25, subsection 1, paragraph "f". In addition,  
34 10 the department shall continue the revised medical assistance  
34 11 payment policy implemented pursuant to that paragraph to  
34 12 provide reimbursement for costs of screening and treatment  
34 13 provided in the hospital emergency room if made pursuant to  
34 14 the prospective payment methodology developed by the  
34 15 department for the payment of outpatient services provided  
34 16 under the medical assistance program. Any rebasing of  
34 17 hospital inpatient or outpatient rates shall not increase  
34 18 total payments for inpatient and outpatient services beyond  
34 19 the 3 percent increase provided in this paragraph.

Requires the rate of reimbursement for inpatient and outpatient hospital services to be increased by 3.00% compared to the FY 2005 reimbursement rates, and requires continuation of the outpatient reimbursement system utilizing Ambulatory Patient Groups implemented in FY 1995. Requires the DHS to continue the revised payment policy relating to screening and treatment provided in hospital emergency waiting rooms. Specifies that any rebasing of rates will not increase total payments for services.

34 20 d. For the fiscal year beginning July 1, 2005,  
34 21 reimbursement rates for rural health clinics, hospices,  
34 22 independent laboratories, and acute mental hospitals shall be  
34 23 increased in accordance with increases under the federal  
34 24 Medicare program or as supported by their Medicare audited  
34 25 costs.

Requires rural health clinics, hospice services, and acute mental hospitals to be reimbursed at the rate established under the federal Medicare Program for FY 2006.

34 26 e. (1) For the fiscal year beginning July 1, 2005,  
34 27 reimbursement rates for home health agencies shall be  
34 28 increased by 3 percent over the rates in effect on June 30,  
34 29 2005, not to exceed a home health agency's actual allowable  
34 30 cost.

Requires rates to home health agencies to be increased by 3.00% beginning July 1, 2005.

34 31 (2) The department shall establish a fixed-fee  
34 32 reimbursement schedule for home health agencies under the  
34 33 medical assistance program beginning July 1, 2006.

Requires the DHS to establish a fixed-fee reimbursement schedule for home health services beginning in FY 2007.



34 34 f. For the fiscal year beginning July 1, 2005, federally  
34 35 qualified health centers shall receive cost-based  
35 1 reimbursement for 100 percent of the reasonable costs for the  
35 2 provision of services to recipients of medical assistance.

Requires the DHS to reimburse federally qualified health centers 100.00% of reasonable costs for provision of services to Medical Assistance Program recipients.

35 3 g. Beginning July 1, 2005, the reimbursement rates for  
35 4 dental services shall be increased by 3 percent over the rates  
35 5 in effect on June 30, 2005.

Requires the FY 2006 reimbursement rates for dental services to be increased by 3.00%.

35 6 h. Beginning July 1, 2005, the reimbursement rates for  
35 7 community mental health centers shall be increased by 3  
35 8 percent over the rates in effect on June 30, 2005.

Requires the FY 2006 reimbursement rates for community mental health centers to be increased by 3.00%.

35 9 i. For the fiscal year beginning July 1, 2005, the maximum  
35 10 reimbursement rate for psychiatric medical institutions for  
35 11 children shall be increased by 3 percent over the rate in  
35 12 effect on June 30, 2005.

Requires the FY 2006 reimbursement rates for Psychiatric Medical Institutions for Children to be increased by 3.00%.

35 13 j. For the fiscal year beginning July 1, 2005, unless  
35 14 otherwise specified in this Act, all noninstitutional medical  
35 15 assistance provider reimbursement rates shall be increased by  
35 16 3 percent over the rates in effect on June 30, 2005, except  
35 17 for area education agencies, local education agencies, infant  
35 18 and toddler services providers, and those providers whose  
35 19 rates are required to be determined pursuant to section  
35 20 249A.20.

Requires the FY 2006 reimbursement rates for all non-institutional Medical Assistance providers, with specified exceptions, to be increased by 3.00%.

35 21 k. Notwithstanding section 249A.20, for the fiscal year  
35 22 beginning July 1, 2005, the average reimbursement rate for  
35 23 health care providers eligible for use of the federal Medicare  
35 24 resource-based relative value scale reimbursement methodology  
35 25 under that section shall be increased by 3 percent over the  
35 26 rate in effect on June 30, 2005; however, this rate shall not

CODE: Requires the FY 2006 rates for health providers eligible for average rate reimbursement, pursuant to Section 249A.20, Code of Iowa, to be increased by 3.00%.

35 27 exceed the maximum level authorized by the federal government.

35 28 I. Beginning July 1, 2005, the department shall reimburse  
35 29 physicians who administer injectable drugs in the physician's  
35 30 office or other appropriate noninstitutional setting in an  
35 31 amount that is equal to the invoiced cost paid by the  
35 32 physician to the manufacturer, vendor, or other recognized  
35 33 supplier from whom the drug was purchased under the medical  
35 34 assistance program. A separate payment shall be made for  
35 35 administration of the drug.

Requires physicians to be reimbursed at cost for injectable drugs provided in the physician's office. Requires payment for the drug to be billed separately.

36 1 2. For the fiscal year beginning July 1, 2005, the  
36 2 reimbursement rate for residential care facilities shall not  
36 3 be less than the minimum payment level as established by the  
36 4 federal government to meet the federally mandated maintenance  
36 5 of effort requirement. The flat reimbursement rate for  
36 6 facilities electing not to file semiannual cost reports shall  
36 7 not be less than the minimum payment level as established by  
36 8 the federal government to meet the federally mandated  
36 9 maintenance of effort requirement.

Requires the reimbursement rates for residential care facilities to be no less than the minimum payment level required to meet the federal maintenance of effort requirement.

36 10 3. For the fiscal year beginning July 1, 2005, the  
36 11 reimbursement rate for providers reimbursed under the in-  
36 12 home-related care program shall not be less than the minimum  
36 13 payment level as established by the federal government to meet  
36 14 the federally mandated maintenance of effort requirement.

Establishes the maximum FY 2006 reimbursement rate for in-home health-related care providers at the minimum payment level established by the federal government.

36 15 4. Unless otherwise directed in this section, when the  
36 16 department's reimbursement methodology for any provider  
36 17 reimbursed in accordance with this section includes an  
36 18 inflation factor, this factor shall not exceed the amount by  
36 19 which the consumer price index for all urban consumers  
36 20 increased during the calendar year ending December 31, 2002.

Specifies that when the required reimbursement methodology for providers under this Section includes an inflation factor, the factor shall not exceed the increase in the Consumer Price Index (CPI) for Urban Consumers for the calendar year ending December 31, 2002.

36 21 5. Notwithstanding section 234.38, in the fiscal year

CODE: Provides the maximum foster family basic daily maintenance

36 22 beginning July 1, 2005, the foster family basic daily  
36 23 maintenance rate and the maximum adoption subsidy rate for  
36 24 children ages 0 through 5 years shall be \$14.91, the rate for  
36 25 children ages 6 through 11 years shall be \$15.58, the rate for  
36 26 children ages 12 through 15 years shall be \$17.18, and the  
36 27 rate for children ages 16 and older shall be \$17.27.

rate and the maximum adoption subsidy rate for children by age range for FY 2006.

DETAIL: The rates include an increase of 3.00% compared to the FY 2005 rates.

36 28 6. For the fiscal year beginning July 1, 2005, the maximum  
36 29 reimbursement rates for social service providers shall be  
36 30 increased by 3 percent over the rates in effect on June 30,  
36 31 2005, or to the provider's actual and allowable cost plus  
36 32 inflation for each service, whichever is less. The rates may  
36 33 also be adjusted under any of the following circumstances:  
36 34 a. If a new service was added after June 30, 2005, the  
36 35 initial reimbursement rate for the service shall be based upon  
37 1 actual and allowable costs.  
37 2 b. If a social service provider loses a source of income  
37 3 used to determine the reimbursement rate for the provider, the  
37 4 provider's reimbursement rate may be adjusted to reflect the  
37 5 loss of income, provided that the lost income was used to  
37 6 support actual and allowable costs of a service purchased  
37 7 under a purchase of service contract.

Requires that the maximum reimbursement rates for social service providers for FY 2006 be increased by 3.00%, and provides for circumstances when the rates may be adjusted.

37 8 7. The group foster care reimbursement rates paid for  
37 9 placement of children out of state shall be calculated  
37 10 according to the same rate-setting principles as those used  
37 11 for in-state providers unless the director of human services  
37 12 or the director's designee determines that appropriate care  
37 13 cannot be provided within the state. The payment of the daily  
37 14 rate shall be based on the number of days in the calendar  
37 15 month in which service is provided.

Requires the group foster care reimbursement rates paid for placement of children out-of-state to be calculated according to the same rate-setting principles as those used for in-state providers, unless the director of the DHS determines that appropriate care cannot be provided within the State. Also, requires the payment of the daily rate be based on the number of days in the calendar month in which service is provided.

37 16 8. For the fiscal year beginning July 1, 2005, the  
37 17 reimbursement rates for rehabilitative treatment and support  
37 18 services providers shall be increased by 3 percent over the

Requires the FY 2006 reimbursement rates for rehabilitative treatment and support service providers be increased by 3.00%

37 19 rates in effect on June 30, 2005.

37 20 9. a. For the fiscal year beginning July 1, 2005, the  
37 21 combined service and maintenance components of the  
37 22 reimbursement rate paid for shelter care services purchased  
37 23 under a contract shall be based on the financial and  
37 24 statistical report submitted to the department. The maximum  
37 25 reimbursement rate shall be \$86.20 per day. The department  
37 26 shall reimburse a shelter care provider at the provider's  
37 27 actual and allowable unit cost, plus inflation, not to exceed  
37 28 the maximum reimbursement rate.

Requires the FY 2006 combined service and maintenance components of the reimbursement rate paid to shelter care providers be based on the cost report submitted to the DHS. Also, requires a maximum reimbursement rate of \$86.20 per day, and requires the DHS to reimburse shelter care providers at the actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

DETAIL: This is an increase of \$2.51 per day compared to the FY 2005 rate due to the 3.00% rate increase for Residential Treatment Service providers.

37 29 b. Notwithstanding section 232.141, subsection 8, for the  
37 30 fiscal year beginning July 1, 2005, the amount of the  
37 31 statewide average of the actual and allowable rates for  
37 32 reimbursement of juvenile shelter care homes that is utilized  
37 33 for the limitation on recovery of unpaid costs shall be  
37 34 increased by \$2.51 over the amount in effect for this purpose  
37 35 in the preceding fiscal year.

CODE: Increases the limit of the Statewide average reimbursement rates paid to shelter care providers by \$2.51 per day. This impacts the amount of charges that are reimbursed.

38 1 c. Notwithstanding section 8A.311, commencing during the  
38 2 fiscal year beginning July 1, 2005, the department may enter  
38 3 into contracts with shelter care providers as necessary to  
38 4 maintain the availability of shelter care services for  
38 5 children in all areas of the state.

CODE: Permits the DHS to enter into contracts with shelter care providers to maintain shelter care availability across the State.

38 6 10. For the fiscal year beginning July 1, 2005, the  
38 7 department shall calculate reimbursement rates for  
38 8 intermediate care facilities for persons with mental  
38 9 retardation at the 80th percentile.

Requires the DHS to calculate reimbursement rates for intermediate care facilities for persons with mental retardation (ICF/MRs) at the 80th percentile for FY 2006.

38 10 11. For the fiscal year beginning July 1, 2005, for child

Requires the DHS to set FY 2006 provider reimbursement rates for child care providers based on the rate reimbursement survey

38 11 care providers reimbursed under the state child care  
38 12 assistance program, the department shall set provider  
38 13 reimbursement rates based on the rate reimbursement survey  
38 14 completed in December 1998. However, if the federal  
38 15 government provides additional funding for child care during  
38 16 the fiscal year beginning July 1, 2005, which is in a  
38 17 sufficient amount and is authorized by federal law to be used  
38 18 for the purpose of fully funding an increase in provider rates  
38 19 based on the December 2002 reimbursement survey, the  
38 20 department shall set provider reimbursement rates based on the  
38 21 2002 survey. The department shall set rates in a manner so as  
38 22 to provide incentives for a nonregistered provider to become  
38 23 registered.

completed in December 1998 unless additional sufficient federal funds are made available to base the rates on the December 2002 survey. Also, requires the DHS to set rates in a manner that will provide incentives for a non-registered provider to become registered.

38 24 12. For the fiscal year beginning July 1, 2005,  
38 25 reimbursements for providers reimbursed by the department of  
38 26 human services may be modified if appropriated funding is  
38 27 allocated for that purpose from the senior living trust fund  
38 28 created in section 249H.4, or as specified in appropriations  
38 29 from the healthy lowans tobacco trust created in section  
38 30 12.65.

Specifies that FY 2006 reimbursements for providers reimbursed by the DHS may be modified if appropriated funding is allocated for that purpose from the Senior Living Trust Fund or as specified in appropriations from the Healthy lowans Tobacco Trust Fund.

38 31 13. Any reimbursement increases provided under this  
38 32 section for providers or services under the medical assistance  
38 33 program are only applicable to reimbursements to providers or  
38 34 for services under the medical assistance fee-for-service  
38 35 system.

Specifies that the Medicaid-related reimbursement rate increases specified for FY 2006 only relate to the fee-for-service reimbursement system.

39 1 14. The department may adopt emergency rules to implement  
39 2 this section.

Allows the DHS to adopt emergency rules to implement this Section.

39 3 Sec. 30. Section 249A.20, Code 2005, is amended to read as  
39 4 follows:  
39 5 249A.20 NONINSTITUTIONAL HEALTH PROVIDERS --

CODE: Requires providers of anesthesia services in the Medical Assistance Program to be reimbursed at the same level as the Medicare reimbursement rates as adjusted for the Resource-Based

39 6 REIMBURSEMENT.  
39 7 1. Beginning November 1, 2000, the department shall use  
39 8 the federal Medicare resource-based relative value scale  
39 9 methodology to reimburse all applicable noninstitutional  
39 10 health providers, excluding anesthesia and dental services,  
39 11 that on June 30, 2000, are reimbursed on a fee-for-service  
39 12 basis for provision of services under the medical assistance  
39 13 program. The department shall apply the federal Medicare  
39 14 resource-based relative value scale methodology to such health  
39 15 providers in the same manner as the methodology is applied  
39 16 under the federal Medicare program and shall not utilize the  
39 17 resource-based relative value scale methodology in a manner  
39 18 that discriminates between such health providers. The  
39 19 reimbursement schedule shall be adjusted annually on July 1,  
39 20 and shall provide for reimbursement that is not less than the  
39 21 reimbursement provided under the fee schedule established for  
39 22 Iowa under the federal Medicare program in effect on January 1  
39 23 of that calendar year.  
39 24 2. Beginning July 1, 2005, the department shall reimburse  
39 25 noninstitutional health providers of anesthesia services using  
39 26 the conversion factor for anesthesia services applicable to  
39 27 the federal Medicare program at the rate in effect on November  
39 28 1, 2000, as adjusted to reflect the resource-based relative  
39 29 value scale methodology applied from that date and thereafter  
39 30 to noninstitutional health providers pursuant to subsection 1.  
39 31 3. A provider reimbursed under section 249A.31 is not a  
39 32 noninstitutional health provider.

Relative Value Scale (RBRVS) Methodology.

DETAIL: A decrease of \$400,000 has been included in the Medical Assistance appropriation for FY 2006 due to this change.

39 33 Sec. 31. 2001 Iowa Acts, chapter 192, section 4,  
39 34 subsection 3, paragraphs e and f, as amended by 2004 Iowa  
39 35 Acts, chapter 1175, section 154, are amended to read as  
40 1 follows:  
40 2 e. The department shall calculate the rate ceiling for the  
40 3 direct-care cost component at 120 percent of the median of  
40 4 case-mix adjusted costs. Nursing facilities with case-mix  
40 5 adjusted costs at 95 percent of the median or greater, shall

CODE: Updates the nursing facility case-mix adjustment costs for FY 2006. Reduces the excess payment allowance for non-direct care by 50.00%. A decrease of \$1,350,000 is included within the appropriation for the Medical Assistance Program.

40 6 receive an amount equal to their costs not to exceed 120  
40 7 percent of the median. Nursing facilities with case-mix  
40 8 adjusted costs below 95 percent of the median shall receive an  
40 9 excess payment allowance by having their payment rate for the  
40 10 direct-care cost component calculated as their case-mix  
40 11 adjusted cost plus 100 percent of the difference between 95  
40 12 percent of the median and their case-mix adjusted cost, not to  
40 13 exceed 10 percent of the median of case-mix adjusted costs.  
40 14 Beginning July 1, ~~2004~~ 2005, nursing facilities with case-mix  
40 15 adjusted costs below 95 percent of the median shall receive an  
40 16 excess payment allowance by having their payment rate for the  
40 17 direct-care cost component calculated as their case-mix  
40 18 adjusted cost plus ~~50~~ 25 percent of the difference between 95  
40 19 percent of the median and their case-mix adjusted cost, not to  
40 20 exceed 10 percent of the median of case-mix adjusted costs.  
40 21 Any excess payment allowance realized from the direct care  
40 22 cost component of the modified price-based case-mix  
40 23 reimbursement shall be expended to increase the compensation  
40 24 of direct care workers or to increase the ratio of direct care  
40 25 workers to residents. The department of human services shall  
40 26 implement a new monitoring and reporting system to assess  
40 27 compliance with the provisions of this paragraph.  
40 28 f. The department shall calculate the rate ceiling for the  
40 29 nondirect care cost component at 110 percent of the median of  
40 30 non-case-mix adjusted costs. Nursing facilities with non-  
40 31 case-mix adjusted costs at 96 percent of the median or greater  
40 32 shall receive an amount equal to their costs not to exceed 110  
40 33 percent of the median. Nursing facilities with non-case-mix  
40 34 adjusted costs below 96 percent of the median shall receive an  
40 35 excess payment allowance that is their costs plus 65 percent  
41 1 of the difference between 96 percent of the median and their  
41 2 non-case-mix adjusted costs, not to exceed 8 percent of the  
41 3 median of non-case-mix adjusted costs. Beginning July 1, ~~2004~~  
41 4 2005, nursing facilities with non-case-mix adjusted costs  
41 5 below 96 percent of the median shall receive an excess payment  
41 6 allowance that is their costs plus ~~32.5~~ 16.25 percent of the  
41 7 difference between 96 percent of the median and their

41 8 non-case-mix adjusted costs, not to exceed 8 percent of the  
41 9 median of non-case-mix adjusted costs. Any excess payment  
41 10 allowance realized from the nondirect care cost component of  
41 11 the modified price-based case-mix reimbursement shall be used  
41 12 to fund quality of life improvements. The department of human  
41 13 services shall implement a new monitoring and reporting system  
41 14 to assess compliance with the provisions of this paragraph.

41 15 Sec. 32. 2004 Iowa Acts, chapter 1175, section 109,  
41 16 subsection 2, paragraph g, is amended to read as follows:  
41 17 g. Notwithstanding section 8.33, up to ~~\$500,000~~ \$1,000,000  
41 18 of the Iowa veterans home revenues that remain unencumbered or  
41 19 unobligated at the close of the fiscal year shall not revert  
41 20 but shall remain available to be used in the succeeding fiscal  
41 21 year.

CODE: Increases the FY 2005 carry forward for the Iowa Veterans Home from \$500,000 to \$1,000,000.

41 22 Sec. 33. 2004 Iowa Acts, chapter 1175, section 113, is  
41 23 amended by adding the following new subsection:  
41 24 NEW SUBSECTION. 5. Notwithstanding section 8.33, moneys  
41 25 appropriated in this section that were allocated by the  
41 26 department for the purpose of meeting federal food stamp  
41 27 electronic benefit transfer requirements that remain  
41 28 unencumbered or unobligated at the close of the fiscal year  
41 29 shall not revert but shall remain available for expenditure  
41 30 for the purpose designated until the close of the succeeding  
41 31 fiscal year.

CODE: Permits nonreversion of funds appropriated in FY 2005 for Electronic Benefits Transfer requirements.

DETAIL: It is estimated that \$650,000 will carry forward to FY 2006. The appropriation for the Family Investment Program assumes that \$323,353 of the carry forward will be used for Family Investment Program costs.

41 32 Sec. 34. 2004 Iowa Acts, chapter 1175, section 135, is  
41 33 amended by adding the following new subsection:  
41 34 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys  
41 35 appropriated in this section for field operations that remain  
42 1 unencumbered or unobligated at the close of the fiscal year  
42 2 shall not revert but shall remain available for expenditure  
42 3 for the purposes designated with up to fifty percent to be  
42 4 used for implementation and operational costs associated with

CODE: Permits nonreversion of funds appropriated in FY 2005 for Field Operations.

DETAIL: It is estimated that \$780,000 will carry forward to FY 2006. The appropriation for the Medical Assistance Program assumes that \$390,000 of the carry forward will be used for Medicare Part D implementation costs.



42 5 Part D of the federal Medicare Prescription Drug, Improvement,  
42 6 and Modernization Act of 2003, Pub. L. No. 108-173, for the  
42 7 purposes designated until the close of the succeeding fiscal  
42 8 year.

42 9 Sec. 35. EMERGENCY RULES. If specifically authorized by a  
42 10 provision of this division of this Act, the department of  
42 11 human services or the mental health, mental retardation,  
42 12 developmental disabilities, and brain injury commission may  
42 13 adopt administrative rules under section 17A.4, subsection 2,  
42 14 and section 17A.5, subsection 2, paragraph "b", to implement  
42 15 the provisions and the rules shall become effective  
42 16 immediately upon filing or on a later effective date specified  
42 17 in the rules, unless the effective date is delayed by the  
42 18 administrative rules review committee. Any rules adopted in  
42 19 accordance with this section shall not take effect before the  
42 20 rules are reviewed by the administrative rules review  
42 21 committee. The delay authority provided to the administrative  
42 22 rules review committee under section 17A.4, subsection 5, and  
42 23 section 17A.8, subsection 9, shall be applicable to a delay  
42 24 imposed under this section, notwithstanding a provision in  
42 25 those sections making them inapplicable to section 17A.5,  
42 26 subsection 2, paragraph "b". Any rules adopted in accordance  
42 27 with the provisions of this section shall also be published as  
42 28 notice of intended action as provided in section 17A.4.

Permits the Department of Human Services and the Mental Health and Developmental Disabilities Commission to adopt emergency rules when authorized.

42 29 Sec. 36. REPORTS. Any reports or information required to  
42 30 be compiled and submitted under this division of this Act  
42 31 shall be submitted to the chairpersons and ranking members of  
42 32 the joint appropriations subcommittee on health and human  
42 33 services, the legislative services agency, and the legislative  
42 34 caucus staffs on or before the dates specified for submission  
42 35 of the reports or information.

Requires any required reports or information to be submitted to:

- The Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee.
- The Legislative Services Agency.
- The Legislative caucus staffs.

43 1 Sec. 37. EFFECTIVE DATES. The following provisions of

Provides the following items take effect upon enactment:

43 2 this division of this Act, being deemed of immediate  
 43 3 importance, take effect upon enactment:  
 43 4 1. The provision under the appropriation for child and  
 43 5 family services, relating to requirements of section 232.143  
 43 6 for representatives of the department of human services and  
 43 7 juvenile court services to establish a plan for continuing  
 43 8 group foster care expenditures for the 2005-2006 fiscal year.  
 43 9 2. The provision under the appropriation for child and  
 43 10 family services, relating to the state court administrator  
 43 11 determining allocation of court-ordered services funding by  
 43 12 June 15, 2005.  
 43 13 3. The provision amending 2004 Iowa Acts, chapter 1175,  
 43 14 section 109.  
 43 15 4. The provision amending 2004 Iowa Acts, chapter 1175,  
 43 16 section 113.  
 43 17 5. The provision amending 2004 Iowa Acts, chapter 1175,  
 43 18 section 135.

- The Juvenile Court Services plan for group foster care expenditures.
- The allocation of court-ordered services funding by the State Court Administrator by June 15, 2004.
- The carry forward of FY 2005 funds from the Electronic Benefit Transfer Program.
- The carry forward of FY 2005 funds from the Field Operations budget unit line item.
- The increase in the amount of carry forward of FY 2005 funds for the Iowa Veterans Home.

43 19 DIVISION II

43 20 SENIOR LIVING TRUST FUND, HOSPITAL TRUST  
 43 21 FUND, AND PHARMACEUTICAL SETTLEMENT ACCOUNT

Senior Living Trust Fund, Hospital Trust Fund, and Pharmaceutical Settlement Account appropriations for FY 2006.

43 22 Sec. 38. DEPARTMENT OF ELDER AFFAIRS. There is  
 43 23 appropriated from the senior living trust fund created in  
 43 24 section 249H.4 to the department of elder affairs for the  
 43 25 fiscal year beginning July 1, 2005, and ending June 30, 2006,  
 43 26 the following amount, or so much thereof as is necessary, to  
 43 27 be used for the purpose designated:  
 43 28 For the development and implementation of a comprehensive  
 43 29 senior living program, including program administration and  
 43 30 costs associated with implementation, salaries, support,  
 43 31 maintenance, and miscellaneous purposes and for not more than  
 43 32 the following full-time equivalent positions:  
 43 33 ..... \$ 8,289,368

Senior Living Trust Fund appropriation to the Department of Elder Affairs for senior services and programs.

DETAIL: This is an increase of \$67,250 and 1.00 FTE position compared to the estimated net FY 2005 appropriation due to the transfer of the FTE position from the Department of Inspections and Appeals for activities associated with the regulation of assisted living programs.

43 34 ..... FTEs 3.00

43 35 Notwithstanding section 249H.7, the department of elder  
 44 1 affairs shall distribute up to \$400,000 of the funds  
 44 2 appropriated in this section in a manner that will supplement  
 44 3 and maximize federal funds under the federal Older Americans  
 44 4 Act and shall not use the amount distributed for any  
 44 5 administrative purposes of either the department of elder  
 44 6 affairs or the area agencies on aging.

CODE: Requires the Department of Elder Affairs to use up to \$400,000 of the FY 2006 Senior Living Trust Fund appropriation to maximize federal funds under the Older Americans Act, and requires these funds not be used for administration.

44 7 Sec. 39. DEPARTMENT OF INSPECTIONS AND APPEALS. There is  
 44 8 appropriated from the senior living trust fund created in  
 44 9 section 249H.4 to the department of inspections and appeals  
 44 10 for the fiscal year beginning July 1, 2005, and ending June  
 44 11 30, 2006, the following amount, or so much thereof as is  
 44 12 necessary, to be used for the purpose designated:  
 44 13 For the inspection and certification of assisted living  
 44 14 facilities and adult day care services, including program  
 44 15 administration and costs associated with implementation,  
 44 16 salaries, support, maintenance, and miscellaneous purposes and  
 44 17 for not more than the following full-time equivalent  
 44 18 positions:  
 44 19 ..... \$ 732,750  
 44 20 ..... FTEs 5.00

Senior Living Trust Fund appropriation to the Department of Inspections and Appeals.

DETAIL: This is a decrease of \$67,250 and 1.00 FTE position compared to the estimated net FY 2005 appropriation due to the transfer of the FTE position to the Department of Elder Affairs for activities associated with the regulation of assisted living programs.

44 21 Sec. 40. DEPARTMENT OF HUMAN SERVICES. There is  
 44 22 appropriated from the senior living trust fund created in  
 44 23 section 249H.4 to the department of human services for the  
 44 24 fiscal year beginning July 1, 2005, and ending June 30, 2006,  
 44 25 the following amounts, or so much thereof as is necessary, to  
 44 26 be used for the purposes designated:

Senior Living Trust Fund appropriations to the Department of Human Services.

44 27 1. To supplement the medical assistance appropriation,  
 44 28 including program administration and costs associated with

Senior Living Trust Fund appropriation to the DHS to supplement the Medical Assistance (Medicaid) appropriation.

44 29	implementation, salaries, support, maintenance, and	
44 30	miscellaneous purposes:	DETAIL: This is a decrease of \$51,400,000 compared to the
44 31	..... \$ 50,200,000	estimated net FY 2005 appropriation, which will be offset by a General
		Fund appropriation.
44 32	2. To provide reimbursement for health care services to	Senior Living Trust Fund appropriation to the DHS to provide
44 33	eligible persons through the home and community-based services	reimbursement through the Medicaid Elderly Home and Community-
44 34	waiver and the state supplementary assistance program,	Based Services Waiver and the State Supplementary Assistance
44 35	including program administration and data system costs	Program.
45 1	associated with implementation, salaries, support,	
45 2	maintenance, and miscellaneous purposes and for not more than	DETAIL: This is a decrease of \$700,000 and no change in FTE
45 3	the following full-time equivalent positions:	positions compared to the estimated net FY 2005 appropriation due to
45 4	..... \$ 1,033,406	the transfer of funding for the Rent Subsidy Program to the Iowa
45 5	..... FTEs 5.00	Finance Authority.
45 6	3. To implement nursing facility provider reimbursements	Senior Living Trust Fund appropriation to the DHS for nursing facility
45 7	as provided in 2001 Iowa Acts, chapter 192, section 4,	provider reimbursements.
45 8	subsection 2, paragraph "c":	
45 9	..... \$ 29,950,000	DETAIL: Maintains the current level of Senior Living Trust Fund
		support.
45 10	In order to carry out the purposes of this section, the	Requires the DHS to transfer funds to supplement other
45 11	department shall transfer funds appropriated in this section	appropriations made to the DHS in order to carry out the purposes of
45 12	to supplement other appropriations made to the department of	this Section.
45 13	human services.	
45 14	4. Notwithstanding sections 249H.4 and 249H.5, the	CODE: Permits the DHS to use the moneys from the Senior Living
45 15	department of human services may use moneys from the senior	Trust Fund for cash flow purposes to make payments under the
45 16	living trust fund for cash flow purposes to make payments	nursing facility or hospital upper payment limit methodology. Also,
45 17	under the nursing facility or hospital upper payment limit	requires that any moneys used for this purpose be refunded to the
45 18	methodology. The amount of any moneys so used shall be	Fund in the same fiscal year.
45 19	refunded to the senior living trust fund within the same	
45 20	fiscal year and in a prompt manner.	
45 21	Sec. 41. ASSISTED LIVING CONVERSION GRANTS --	CODE: Requires unexpended funds committed to contracts for

45 22 NONREVERSION. Notwithstanding section 8.33, moneys committed  
 45 23 from the senior living trust fund to grantees under contract  
 45 24 to provide for conversion to assisted living programs or for  
 45 25 development of long-term care alternatives that remain  
 45 26 unexpended at the close of any fiscal year shall not revert to  
 45 27 any fund but shall remain available for expenditure for  
 45 28 purposes of the contract.

assisted living conversion or for the development of long-term care alternatives at the close of any fiscal year to remain available until the contact is fulfilled.

45 29 Sec. 42. IOWA FINANCE AUTHORITY. There is appropriated  
 45 30 from the senior living trust fund created in section 249H.4 to  
 45 31 the Iowa finance authority for the fiscal year beginning July  
 45 32 1, 2005, and ending June 30, 2006, the following amount, or so  
 45 33 much thereof as is necessary, to be used for the purposes  
 45 34 designated:  
 45 35 To provide reimbursement for rent expenses to eligible  
 46 1 persons:  
 46 2 ..... \$ 700,000

Senior Living Trust Fund appropriation to the Iowa Finance Authority (IFA) for the Rent Subsidy Program.

DETAIL: This is a new appropriation for FY 2006. In previous fiscal years, the funding was provided to the DHS. In FY 2005, the DHS transferred funding for the Program to the IFA through a 28E agreement.

46 3 Participation in the rent subsidy program shall be limited  
 46 4 to only those persons who are at risk for nursing facility  
 46 5 care.

Requires participation in the Rent Subsidy Program be limited to persons at risk of nursing home placement.

46 6 Sec. 43. HOSPITAL TRUST FUND. There is appropriated from  
 46 7 the hospital trust fund created in section 249I.4 to the  
 46 8 department of human services for the fiscal year beginning  
 46 9 July 1, 2005, and ending June 30, 2006, the following amount,  
 46 10 or so much thereof as is necessary, to be used for the purpose  
 46 11 designated:  
 46 12 To supplement the appropriations made for the medical  
 46 13 assistance program for that fiscal year:  
 46 14 ..... \$ 22,900,000

Hospital Trust Fund appropriation to supplement the Medical Assistance (Medicaid) Program.

DETAIL: This is a decrease of \$14,600,000 compared to the estimated net FY 2005 Hospital Trust Fund appropriation.

46 15 Sec. 44. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
 46 16 appropriated from the pharmaceutical settlement account

Pharmaceutical Settlement Account transfer to supplement the Medical Contracts appropriation line-item.

46 17 created in section 249A.33 to the department of human services  
 46 18 for the fiscal year beginning July 1, 2005, and ending June  
 46 19 30, 2006, the following amount, or so much thereof as is  
 46 20 necessary, to be used for the purpose designated:  
 46 21 To supplement the appropriations made for medical contracts  
 46 22 under the medical assistance program:  
 46 23 ..... \$ 85,000

DETAIL: This is a new transfer for FY 2006. There has been one previous transfer for FY 2005 in SF 2298 (FY 2005 Omnibus Appropriations Act). The Account was created in SF 453 (FY 2004 Miscellaneous Provisions Act). Funds are available from periodic pharmaceutical settlements and are required to be used for technology upgrades.

46 24 Sec. 45. MEDICAL ASSISTANCE PROGRAM -- REVERSION TO SENIOR  
 46 25 LIVING TRUST FUND FOR FY 2005-2006. Notwithstanding section  
 46 26 8.33, if moneys appropriated in this Act for purposes of the  
 46 27 medical assistance program for the fiscal year beginning July  
 46 28 1, 2005, and ending June 30, 2006, from the general fund of  
 46 29 the state, the senior living trust fund, the hospital trust  
 46 30 fund, or the healthy lowans tobacco trust fund are in excess  
 46 31 of actual expenditures for the medical assistance program and  
 46 32 remain unencumbered or unobligated at the close of the fiscal  
 46 33 year, the excess moneys shall not revert but shall be  
 46 34 transferred to the senior living trust fund created in section  
 46 35 249H.4.

CODE: Requires any moneys from the Medical Assistance Program supplemental appropriation remaining unencumbered or unexpended at the close of FY 2006 to be transferred to the Senior Living Trust Fund.

47 1 Sec. 46. EFFECTIVE DATE. The section of this division of  
 47 2 this Act relating to nonreversion of assisted living  
 47 3 conversion grant moneys, being deemed of immediate importance,  
 47 4 takes effect upon enactment.

Provides that the Section related to nonreversion of conversion grant funds takes effect upon enactment.

### 47 5 DIVISION III

47 6 MENTAL HEALTH, MENTAL RETARDATION,  
 47 7 DEVELOPMENTAL DISABILITIES,  
 47 8 AND BRAIN INJURY SERVICES

47 9 Sec. 47. 2004 Iowa Acts, chapter 1175, section 173,  
 47 10 subsection 2, paragraph c, is amended to read as follows:

CODE: Transfers the FY 2006 appropriation for the Risk Pool to Medical Assistance.

47 11 c. ~~For deposit in the risk pool created in the property-~~  
 47 12 ~~tax relief fund and for distribution in accordance with-~~  
 47 13 ~~section 426B.5, subsection 2~~ To the department of human  
 47 14 services for supplementation of the appropriations made for  
 47 15 the medical assistance program for the fiscal year beginning  
 47 16 July 1, 2005, and ending June 30, 2006:  
 47 17 ..... \$ 2,000,000

DETAIL: This \$2,000,000 transfer occurred in FY 2005 and FY 2004 and is assumed in the appropriations need calculation for FY 2006.

47 18 Sec. 48. 2004 Iowa Acts, chapter 1175, section 173, is  
 47 19 amended by adding the following new subsections:  
 47 20 NEW SUBSECTION. 3. The following formula amounts shall be  
 47 21 utilized only to calculate preliminary distribution amounts  
 47 22 for fiscal year 2005-2006 under this section by applying the  
 47 23 indicated formula provisions to the formula amounts and  
 47 24 producing a preliminary distribution total for each county:  
 47 25 a. For calculation of an allowed growth factor adjustment  
 47 26 amount for each county in accordance with the formula in  
 47 27 section 331.438, subsection 2, paragraph "b":  
 47 28 ..... \$ 12,000,000  
 47 29 b. For calculation of a distribution amount for eligible  
 47 30 counties from the per capita expenditure target pool created  
 47 31 in the property tax relief fund in accordance with the  
 47 32 requirements in section 426B.5, subsection 1:  
 47 33 ..... \$ 14,507,362  
 47 34 c. For calculation of a distribution amount for counties  
 47 35 from the mental health and developmental disabilities (MH/DD)  
 48 1 community services fund in accordance with the formula  
 48 2 provided in the appropriation made for the MH/DD community  
 48 3 services fund for the fiscal year beginning July 1, 2005:  
 48 4 ..... \$ 17,727,890  
 48 5 NEW SUBSECTION. 4. After applying the applicable  
 48 6 statutory distribution formulas to the amounts indicated in  
 48 7 subsection 3 for purposes of producing preliminary  
 48 8 distribution totals, the department of human services shall  
 48 9 apply a withholding factor to adjust an eligible individual  
 48 10 county's preliminary distribution total. An ending balance

CODE: Provides for the distribution of the FY 2006 Mental Health Allowed Growth appropriation.

DETAIL: This appropriation was made in SF 2298 (FY 2005 Omnibus Appropriations Act). The distribution parallels the distribution of the FY 2005 distribution of funds to the counties based upon the balances of each county's Mental Health, Mental Retardation, and Developmental Disabilities Services Fund and levy amounts.

48 11 percentage for each county shall be determined by expressing  
48 12 the county's ending balance on a modified accrual basis under  
48 13 generally accepted accounting principles for the fiscal year  
48 14 beginning July 1, 2004, in the county's mental health, mental  
48 15 retardation, and developmental disabilities services fund  
48 16 created under section 331.424A, as a percentage of the  
48 17 county's gross expenditures from that fund for that fiscal  
48 18 year. The withholding factor for a county shall be the  
48 19 following applicable percent:

48 20     a. For an ending balance percentage of less than 10  
48 21 percent, a withholding factor of 0 percent. In addition to  
48 22 the county's adjusted distribution total, a county that is  
48 23 subject to this paragraph "a" shall receive an inflation  
48 24 adjustment equal to 2.6 percent of the gross expenditures  
48 25 reported for the county's services fund for that fiscal year.

48 26     b. For an ending balance percentage of 10 through 24  
48 27 percent, a withholding factor of 25 percent. However, the  
48 28 amount withheld shall be limited to the amount by which the  
48 29 county's ending balance was in excess of the ending balance  
48 30 percentage of 10 percent.

48 31     c. For an ending balance percentage of 25 percent or more,  
48 32 a withholding factor of 100 percent.

48 33     NEW SUBSECTION. 5. The total withholding amounts applied  
48 34 pursuant to subsection 4 shall be equal to a withholding  
48 35 target amount of \$4,659,749. If the department of human  
49 1 services determines that the amount to be withheld in  
49 2 accordance with subsection 4 is not equal to the target  
49 3 withholding amount, the department shall adjust the  
49 4 withholding factors listed in subsection 4 as necessary to  
49 5 achieve the withholding target amount. However, in making  
49 6 such adjustments to the withholding factors, the department  
49 7 shall strive to minimize changes to the withholding factors  
49 8 for those ending balance percentage ranges that are lower than  
49 9 others and shall not adjust the zero withholding factor or the  
49 10 inflation adjustment percentage specified in subsection 4,  
49 11 paragraph "a".



49 12 DIVISION IV

49 13 CODE CHANGES

49 14 Sec. 49. Section 28.9, subsection 3, Code 2005, is amended  
49 15 to read as follows:

49 16 3. a. An early childhood programs grant account is  
49 17 created in the Iowa empowerment fund under the authority of  
49 18 the director of human services. Moneys credited to the  
49 19 account are appropriated to and shall be distributed by the  
49 20 department of human services in the form of grants to  
49 21 community empowerment areas pursuant to criteria established  
49 22 by the Iowa board in accordance with law. The criteria shall  
49 23 include but are not limited to a requirement that a community  
49 24 empowerment area must be designated by the Iowa board in  
49 25 accordance with section 28.5, in order to be eligible to  
49 26 receive an early childhood programs grant.

49 27 b. The maximum funding amount a community empowerment area  
49 28 is eligible to receive from the early childhood programs grant  
49 29 account for a fiscal year shall be determined by applying the  
49 30 area's percentage of the state's average monthly family  
49 31 investment program population in the preceding fiscal year to  
49 32 the total amount credited to the account for the fiscal year.

49 33 c. A community empowerment area receiving funding from the  
49 34 early childhood program grant account shall comply with any  
49 35 federal reporting requirements associated with the use of that  
50 1 funding and other results and reporting requirements  
50 2 established by the Iowa empowerment board. The department of  
50 3 human services shall provide technical assistance in  
50 4 identifying and meeting the federal requirements. The  
50 5 availability of funding provided from the account is subject  
50 6 to changes in federal requirements and amendments to Iowa law.

50 7 d. The moneys distributed from the early childhood program  
50 8 grant account shall be used by community empowerment areas for  
50 9 the purposes of enhancing quality child care capacity in  
50 10 support of parent capability to obtain or retain employment.

CODE: Specifies a maximum amount for community empowerment areas from the Early Childhood Programs Grant Account. Requires community empowerment areas to comply with various reporting and expenditure requirements.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services within the appropriations relating to the Temporary Assistance for Needy Families (TANF) and is being codified to make it a permanent part of the Code of Iowa.

50 11 The moneys shall be used with a primary emphasis on low-income  
50 12 families and children from birth to five years of age. Moneys  
50 13 shall be provided in a flexible manner and shall be used to  
50 14 implement strategies identified by the community empowerment  
50 15 area to achieve such purposes. The department of human  
50 16 services may use a portion of the funding appropriated to the  
50 17 department under this subsection for provision of technical  
50 18 assistance and other support to community empowerment areas  
50 19 developing and implementing strategies with grant moneys  
50 20 distributed from the account.  
50 21 e. Moneys from a federal block grant that are credited to  
50 22 the early childhood program grant account but are not  
50 23 distributed to a community empowerment area or otherwise  
50 24 remain unobligated or unexpended at the end of the fiscal year  
50 25 shall revert to the fund created in section 8.41 to be  
50 26 available for appropriation by the general assembly in a  
50 27 subsequent fiscal year.

50 28 Sec. 50. NEW SECTION. 35D.18 NET GENERAL FUND  
50 29 APPROPRIATION -- PURPOSE.

50 30 1. The Iowa veterans home shall operate on the basis of a  
50 31 net appropriation from the general fund of the state. The  
50 32 appropriation amount shall be the net amount of state moneys  
50 33 projected to be needed for the Iowa veterans home for the  
50 34 fiscal year of the appropriation. The purpose of utilizing a  
50 35 net appropriation is to encourage the Iowa veterans home to  
51 1 operate with increased self-sufficiency, to improve quality  
51 2 and efficiency, and to support collaborative efforts among all  
51 3 providers of funding for the services available from the Iowa  
51 4 veterans home.  
51 5 2. The net appropriation made to the Iowa veterans home  
51 6 may be used throughout the fiscal year in the manner necessary  
51 7 for purposes of cash flow management, and for cash flow  
51 8 management, the Iowa veterans home may temporarily draw more  
51 9 than the amount appropriated, provided the amount appropriated  
51 10 is not exceeded at the close of the fiscal year.

CODE: Provides for the continuation of language requiring the Iowa Veterans Home to operate under a net appropriation from the General Fund and retain the outside revenues in lieu of depositing them in the General Fund.

DETAIL: This language has been in existence since FY 2003, beginning July 1, 2002, when the General Assembly placed the Veterans Home on net budgeting. This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

51 11 3. Revenues received that are attributed to the Iowa  
51 12 veterans home during a fiscal year shall be credited to the  
51 13 Iowa veterans home account and shall be considered repayment  
51 14 receipts as defined in section 8.2, including but not limited  
51 15 to all of the following:  
51 16 a. Federal veterans administration payments.  
51 17 b. Medical assistance program revenue received under  
51 18 chapter 249A.  
51 19 c. Federal Medicare program payments.  
51 20 d. Other revenues generated from current, new, or expanded  
51 21 services that the Iowa veterans home is authorized to provide.  
51 22 4. For purposes of allocating moneys to the Iowa veterans  
51 23 home from the salary adjustment fund created in section 8.43,  
51 24 the Iowa veterans home shall be considered to be funded  
51 25 entirely with state moneys.  
51 26 5. Notwithstanding section 8.33, up to five hundred  
51 27 thousand dollars of the Iowa veterans home revenue that remain  
51 28 unencumbered or unobligated at the close of the fiscal year  
51 29 shall not revert but shall remain available for expenditure  
51 30 for purposes of the Iowa veterans home until the close of the  
51 31 succeeding fiscal year.

51 32 Sec. 51. Section 84A.6, subsection 2, Code 2005, is  
51 33 amended to read as follows:  
51 34 2. a. The director of the department of workforce  
51 35 development, in cooperation with the department of human  
52 1 services, shall provide job placement and training to persons  
52 2 referred by the department of human services under the  
52 3 promoting independence and self-sufficiency through employment  
52 4 job opportunities and basic skills program established  
52 5 pursuant to chapter 239B and the food stamp employment and  
52 6 training program.  
52 7 b. The department of workforce development, in  
52 8 consultation with the department of human services, shall  
52 9 develop and implement departmental recruitment and employment  
52 10 practices that address the needs of former and current

CODE: Requires that the Department of Workforce Development, in consultation with the Department of Human Services, develop and implement practices that address the needs of the DHS Family Investment Program (FIP) participants.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

52 11 participants in the family investment program under chapter  
52 12 239B.

52 13 Sec. 52. Section 125.2, Code 2005, is amended by adding  
52 14 the following new subsection:  
52 15 NEW SUBSECTION. A1. "Board" means the state board of  
52 16 health created pursuant to chapter 136.

CODE: Adds a definition for the State Board of Health to Chapter 125, Code of Iowa, which makes the Board responsible for the duties associated with chemical substance abuse in lieu of the Commission on Substance Abuse, which is eliminated in this Bill.

52 17 Sec. 53. Section 125.2, subsection 6, Code 2005, is  
52 18 amended by striking the subsection.

CODE: Eliminates the Commission on Substance Abuse. Duties are transferred to the State Board of Health in various Sections of this Bill.

52 19 Sec. 54. Section 125.3, Code 2005, is amended to read as  
52 20 follows:  
52 21 125.3 SUBSTANCE ABUSE PROGRAM AND COMMISSION ESTABLISHED.  
52 22 The Iowa department of public health shall ~~include a~~  
52 23 ~~program which shall~~ develop, implement, and administer a  
52 24 comprehensive substance abuse program pursuant to sections  
52 25 125.1 to 125.43. ~~A commission on substance abuse is created~~  
52 26 ~~to establish certain policies governing the performance of the~~  
52 27 ~~department in the discharge of duties imposed on it by this~~  
52 28 ~~chapter and advise the department on other policies. The~~  
52 29 ~~commission shall consist of nine members appointed by the~~  
52 30 ~~governor. Appointments shall be made on the basis of interest~~  
52 31 ~~in and knowledge of substance abuse, however two of the~~  
52 32 ~~members shall be persons who, in their regular work, have~~  
52 33 ~~direct contact with substance abuse clients. Only eligible~~  
52 34 ~~electors of the state of Iowa shall be appointed.~~

CODE: Conforming language to reflect the elimination of the Commission on Substance Abuse in this Bill.

52 35 Sec. 55. Section 125.7, Code 2005, is amended to read as  
53 1 follows:  
53 2 125.7 DUTIES OF THE COMMISSION BOARD.  
53 3 The commission board shall:  
53 4 1. Approve the comprehensive substance abuse program,

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

53 5 developed by the department pursuant to sections 125.1 to  
53 6 125.43.  
53 7 2. Advise the department on policies governing the  
53 8 performance of the department in the discharge of any duties  
53 9 imposed on ~~it~~ the department by law.  
53 10 3. Advise or make recommendations to the governor and the  
53 11 general assembly relative to substance abuse treatment,  
53 12 intervention, ~~and~~ education, and prevention programs in this  
53 13 state.  
53 14 4. ~~Promulgate~~ Adopt rules for subsections 1 and 6 and  
53 15 review other rules necessary to carry out the provisions of  
53 16 this chapter, subject to review in accordance with chapter  
53 17 17A.  
53 18 5. Investigate the work of the department relating to  
53 19 substance abuse, and for this purpose ~~it~~ the board shall have  
53 20 access at any time to all books, papers, documents, and  
53 21 records of the department.  
53 22 6. Consider and approve or disapprove all applications for  
53 23 a license and all cases involving the renewal, denial,  
53 24 suspension, or revocation of a license.  
53 25 7. Act as the appeal board regarding funding decisions  
53 26 made by the department.

53 27 Sec. 56. Section 125.9, subsection 1, Code 2005, is  
53 28 amended to read as follows:  
53 29 1. Plan, establish and maintain treatment, intervention,  
53 30 ~~and~~ education, and prevention programs as necessary or  
53 31 desirable in accordance with the comprehensive substance abuse  
53 32 program.

CODE: Technical correction.

53 33 Sec. 57. Section 125.10, subsections 1 and 11, Code 2005,  
53 34 are amended to read as follows:  
53 35 1. Prepare and submit a state plan subject to approval by  
54 1 the ~~commission board~~ and in accordance with the provisions of  
54 2 42 U.S.C. sec. 4573. The state plan shall designate the  
54 3 department as the sole agency for supervising the

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

54 4 administration of the plan.  
54 5 11. Develop and implement, with the counsel and approval  
54 6 of the ~~commission board~~, a the comprehensive plan for  
54 7 treatment of substance abusers, chronic substance abusers, and  
54 8 intoxicated persons in accordance with this chapter.

54 9 Sec. 58. Section 125.12, subsection 1, Code 2005, is  
54 10 amended to read as follows:  
54 11 1. The ~~commission board~~ shall review a the comprehensive  
54 12 ~~and co-ordinated substance abuse program implemented by the~~  
54 13 department for the treatment of substance abusers, chronic  
54 14 substance abusers, intoxicated persons, and concerned family  
54 15 members. Subject to the review of the ~~commission board~~, the  
54 16 director shall divide the state into appropriate regions for  
54 17 the conduct of the program and establish standards for the  
54 18 development of the program on the regional level. In  
54 19 establishing the regions, consideration shall be given to city  
54 20 and county lines, population concentrations, and existing  
54 21 substance abuse treatment services. ~~In determining the~~  
54 22 ~~regions, the director is not required to follow the regional~~  
54 23 ~~map as prepared by the former office for planning and~~  
54 24 ~~programming.~~

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

54 25 Sec. 59. Section 125.13, subsection 2, paragraphs a, b, i,  
54 26 and j, Code 2005, are amended to read as follows:  
54 27 a. A hospital providing care or treatment to substance  
54 28 abusers or chronic substance abusers licensed under chapter  
54 29 135B which is accredited by the joint commission on the  
54 30 accreditation of health care organizations, the commission on  
54 31 accreditation of rehabilitation facilities, the American  
54 32 osteopathic association, or another recognized organization  
54 33 approved by the ~~commission board~~. All survey reports from the  
54 34 accrediting or licensing body must be sent to the department.  
54 35 b. Any practitioner of medicine and surgery or osteopathic  
55 1 medicine and surgery, in the practitioner's private practice.  
55 2 However, a program shall not be exempted from licensing by the

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

55 3 ~~commission board~~ by virtue of its utilization of the services  
55 4 of a medical practitioner in its operation.  
55 5 i. A substance abuse treatment program not funded by the  
55 6 department which is accredited or licensed by the joint  
55 7 commission on the accreditation of health care organizations,  
55 8 the commission on the accreditation of rehabilitation  
55 9 facilities, the American osteopathic association, or another  
55 10 recognized organization approved by the ~~commission board~~. All  
55 11 survey reports from the accrediting or licensing body must be  
55 12 sent to the department.  
55 13 j. A hospital substance abuse treatment program that is  
55 14 accredited or licensed by the joint commission on the  
55 15 accreditation of health care organizations, the commission on  
55 16 the accreditation of rehabilitation facilities, the American  
55 17 osteopathic association, or another recognized organization  
55 18 approved by the ~~commission board~~. All survey reports for the  
55 19 hospital substance abuse treatment program from the  
55 20 accrediting or licensing body shall be sent to the department.

55 21 Sec. 60. Section 125.14, Code 2005, is amended to read as  
55 22 follows:  
55 23 125.14 LICENSES -- RENEWAL -- FEES.  
55 24 The ~~commission board~~ shall ~~meet to~~ consider all cases  
55 25 involving initial issuance, and renewal, denial, suspension,  
55 26 or revocation of a license. The department shall issue a  
55 27 license to an applicant whom the ~~commission board~~ determines  
55 28 meets the licensing requirements of this chapter. Licenses  
55 29 shall expire no later than three years from the date of  
55 30 issuance and shall be renewed upon timely application made in  
55 31 the same manner as for initial issuance of a license unless  
55 32 notice of nonrenewal is given to the licensee at least thirty  
55 33 days prior to the expiration of the license. The department  
55 34 shall not charge a fee for licensing or renewal of programs  
55 35 contracting with the department for provision of treatment  
56 1 services. A fee may be charged to other licensees.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

56 2 Sec. 61. Section 125.15A, subsection 1, paragraph b, Code  
56 3 2005, is amended to read as follows:  
56 4 b. The ~~commission~~ board has suspended, revoked, or refused  
56 5 to renew the existing license of the program.

on Substance Abuse to the State Board of Health due to the  
elimination of the Commission in this Bill.

56 6 Sec. 62. Section 125.16, Code 2005, is amended to read as  
56 7 follows:  
56 8 125.16 TRANSFER OF LICENSE OR CHANGE OF LOCATION  
56 9 PROHIBITED.  
56 10 A license issued under this chapter may not be transferred,  
56 11 and the location of the physical facilities occupied or  
56 12 utilized by any program licensed under this chapter shall not  
56 13 be changed without the prior written consent of the ~~commission~~  
56 14 board.

CODE: Conforming language to transfer duties of the Commission on  
Substance Abuse to the State Board of Health due to the elimination  
of the Commission in this Bill.

56 15 Sec. 63. Section 125.17, Code 2005, is amended to read as  
56 16 follows:  
56 17 125.17 LICENSE SUSPENSION OR REVOCATION.  
56 18 Violation of any of the requirements or restrictions of  
56 19 this chapter or of any of the rules ~~properly established~~  
56 20 adopted pursuant to this chapter is cause for suspension,  
56 21 revocation, or refusal to renew a license. The director shall  
56 22 at the earliest time feasible notify a licensee whose license  
56 23 the ~~commission~~ board is considering suspending or revoking and  
56 24 shall inform the licensee what changes must be made in the  
56 25 licensee's operation to avoid such action. The licensee shall  
56 26 be given a reasonable time for compliance, as determined by  
56 27 the director, after receiving such notice or a notice that the  
56 28 ~~commission~~ board does not intend to renew the license. When  
56 29 the licensee believes compliance has been achieved, or if the  
56 30 licensee considers the proposed suspension, revocation, or  
56 31 refusal to renew unjustified, the licensee may submit  
56 32 pertinent information to the ~~commission~~ board and the  
56 33 board shall expeditiously make a decision in the matter and  
56 34 notify the licensee of the decision.

CODE: Conforming language to transfer duties of the Commission on  
Substance Abuse to the State Board of Health due to the elimination  
of the Commission in this Bill.



56 35 Sec. 64. Section 125.18, Code 2005, is amended to read as  
57 1 follows:  
57 2 125.18 HEARING BEFORE COMMISSION.  
57 3 If a licensee under this chapter makes a written request  
57 4 for a hearing within thirty days of suspension, revocation<sub>1</sub> or  
57 5 refusal to renew a license, a hearing before the ~~commission~~  
57 6 board shall be expeditiously arranged by the department of  
57 7 inspections and appeals whose decision is subject to review by  
57 8 the ~~commission board~~. ~~If the role of a commission member is~~  
57 9 ~~inconsistent with the member's job role or function, or if any~~  
57 10 ~~commission member feels unable for any reason to~~  
57 11 ~~disinterestedly weigh the merits of the case before the~~  
57 12 ~~commission, the member shall not participate in the hearing~~  
57 13 ~~and shall not be entitled to vote on the case.~~ The ~~commission~~  
57 14 board shall issue a written statement of ~~it's~~ the board's  
57 15 findings within thirty days after conclusion of the hearing  
57 16 upholding or reversing the proposed suspension, revocation<sub>1</sub> or  
57 17 refusal to renew a license. Action involving suspension,  
57 18 revocation or refusal to renew a license shall not be taken by  
57 19 the ~~commission board~~ unless a quorum is present at the  
57 20 meeting. A copy of the board's decision shall be promptly  
57 21 transmitted to the affected licensee who may, if aggrieved by  
57 22 the decision, seek judicial review of the actions of the  
57 23 ~~commission board~~ in accordance with the terms of chapter 17A.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

57 24 Sec. 65. Section 125.19, Code 2005, is amended to read as  
57 25 follows:  
57 26 125.19 REISSUANCE OR REINSTATEMENT.  
57 27 After suspension, revocation<sub>1</sub> or refusal to renew a license  
57 28 pursuant to this chapter, the affected licensee shall not have  
57 29 the license reissued or reinstated within one year of the  
57 30 effective date of the suspension, revocation<sub>1</sub> or expiration  
57 31 upon refusal to renew, unless ~~by order of the commission board~~  
57 32 orders otherwise. After that time, proof of compliance with  
57 33 the requirements and restrictions of this chapter and the  
57 34 rules ~~established~~ adopted pursuant to this chapter must be

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

57 35 presented to the ~~commission~~ board prior to reinstatement or  
58 1 reissuance of a license.

58 2 Sec. 66. Section 125.21, Code 2005, is amended to read as  
58 3 follows:  
58 4 125.21 CHEMICAL SUBSTITUTES AND ANTAGONISTS PROGRAMS.  
58 5 1. The ~~commission~~ board has exclusive power in this state  
58 6 to approve and license chemical substitutes and antagonists  
58 7 programs, and to monitor chemical substitutes and antagonists  
58 8 programs to ensure that the programs are operating within the  
58 9 rules ~~established~~ adopted pursuant to this chapter. The  
58 10 ~~commission board~~ shall grant approval and license if the  
58 11 requirements of the rules are met and no state funding is not  
58 12 requested. ~~This section requires approval of~~ The chemical  
58 13 substitutes and antagonists programs conducted by persons  
58 14 exempt from the licensing requirements of this chapter ~~by~~  
58 15 ~~pursuant to~~ section 125.13, subsection 2, are subject to  
58 16 approval and licensure under this section.  
58 17 2. The department may do any of the following:  
58 18 ~~4. a. Provide advice, consultation, and technical~~  
58 19 ~~assistance to chemical substitutes and antagonists programs.~~  
58 20 ~~2. b. In its discretion, approve~~ Approve local agencies  
58 21 or bodies to assist ~~it~~ the department in carrying out the  
58 22 provisions of this chapter.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

58 23 Sec. 67. Section 125.43A, Code 2005, is amended to read as  
58 24 follows:  
58 25 125.43A PRESCREENING -- EXCEPTION.  
58 26 Except in cases of medical emergency or court ordered  
58 27 admissions, a person shall be admitted to a state mental  
58 28 health institute for substance abuse treatment only after a  
58 29 preliminary intake and assessment by a department-licensed  
58 30 treatment facility or a hospital providing care or treatment  
58 31 for substance abusers licensed under chapter 135B and  
58 32 accredited by the joint commission on the accreditation of

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

58 33 health care organizations, the commission on accreditation of  
58 34 rehabilitation facilities, the American osteopathic  
58 35 association, or another recognized organization approved by  
59 1 the ~~commission board~~, or by a designee of a department-  
59 2 licensed treatment facility or a hospital other than a state  
59 3 mental health institute, which confirms that the admission is  
59 4 appropriate to the person's substance abuse service needs. A  
59 5 county board of supervisors may seek an admission of a patient  
59 6 to a state mental health institute who has not been confirmed  
59 7 for appropriate admission and the county shall be responsible  
59 8 for one hundred percent of the cost of treatment and services  
59 9 of the patient.

59 10 Sec. 68. Section 125.58, subsection 1, Code 2005, is  
59 11 amended to read as follows:  
59 12 1. If the department has probable cause to believe that an  
59 13 institution, place, building, or agency not licensed as a  
59 14 substance abuse treatment and rehabilitation facility is in  
59 15 fact a substance abuse treatment and rehabilitation facility  
59 16 as defined by this chapter, and is not exempt from licensing  
59 17 by section 125.13, subsection 2, the ~~commission board~~ may  
59 18 order an inspection of the institution, place, building, or  
59 19 agency. If the inspector upon presenting proper  
59 20 identification is denied entry for the purpose of making the  
59 21 inspection, the inspector may, with the assistance of the  
59 22 county attorney of the county in which the premises are  
59 23 located, apply to the district court for an order requiring  
59 24 the owner or occupant to permit entry and inspection of the  
59 25 premises to determine whether there have been violations of  
59 26 this chapter. The investigation may include review of  
59 27 records, reports, and documents maintained by the facility and  
59 28 interviews with staff members consistent with the  
59 29 confidentiality safeguards of state and federal law.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

59 30 Sec. 69. NEW SECTION. 135.39C ELDERLY WELLNESS SERVICES  
59 31 -- PAYOR OF LAST RESORT.

CODE: Requires the Department of Public Health to provide services under the Elderly Wellness Program in a manner that ensures

59 32 The department shall implement elderly wellness services in  
 59 33 a manner that ensures that the services provided are not  
 59 34 payable by a third-party source.

services are not payable by a third-party source.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa.

59 35 Sec. 70. Section 135.150, Code 2005, is amended by adding  
 60 1 the following new subsection:  
 60 2 NEW SUBSECTION. 5. Persons with a dual diagnosis of  
 60 3 substance abuse and a gambling addiction shall be given  
 60 4 priority in treatment services funded by the gambling  
 60 5 treatment fund.

CODE: Requires that the Gambling Treatment Fund, administered by Department of Public Health, give treatment priority to persons with a dual diagnosis of substance abuse and a gambling addiction.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa.

60 6 Sec. 71. Section 136.1, unnumbered paragraph 1, Code 2005,  
 60 7 is amended to read as follows:  
 60 8 The state board of health shall consist of the following  
 60 9 members: Five members learned in health-related disciplines,  
 60 10 two members who have direct experience with substance abuse  
 60 11 treatment or prevention, and four members representing the  
 60 12 general public.

CODE: Adds two members to the State Board of Health. Requires two additional members to have direct experience with substance abuse treatment or prevention. This reflects the transfer of duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

60 13 Sec. 72. Section 136.3, subsection 7, Code 2005, is  
 60 14 amended to read as follows:  
 60 15 7. Adopt, promulgate, amend, and repeal rules and  
 60 16 regulations consistent with law for the protection of the  
 60 17 public health and prevention of substance abuse, and for the  
 60 18 guidance of the department. All rules ~~which have been or are~~  
 60 19 ~~hereafter~~ adopted by the department shall be are subject to  
 60 20 approval by the board. ~~However, rules adopted by the~~  
 60 21 ~~commission on substance abuse for section 125.7, subsections 1~~  
 60 22 ~~and 7, and rules adopted by the department pursuant to section~~  
 60 23 ~~135.130 are not subject to approval by the state board of~~  
 60 24 ~~health.~~

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

60 25 Sec. 73. Section 136.3, Code 2005, is amended by adding  
60 26 the following new subsection:  
60 27 NEW SUBSECTION. 10. Perform those duties authorized  
60 28 pursuant to chapter 125.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

60 29 Sec. 74. Section 136C.10, subsection 1, Code 2005, is  
60 30 amended to read as follows:  
60 31 1. a. The department shall establish and collect fees for  
60 32 the licensing and amendment of licenses for radioactive  
60 33 materials, the registration of radiation machines, the  
60 34 periodic inspection of radiation machines and radioactive  
60 35 materials, and the implementation of section 136C.3,  
61 1 subsection 2. Fees shall be in amounts sufficient to defray  
61 2 the cost of administering this chapter. The license fee may  
61 3 include the cost of environmental surveillance activities to  
61 4 assess the radiological impact of activities conducted by  
61 5 licensees.  
61 6 b. Fees collected shall be remitted to the treasurer of  
61 7 state who shall deposit the funds in the general fund of the  
61 8 state. However, the fees collected from the licensing,  
61 9 registration, authorization, accreditation, and inspection of  
61 10 radiation machines used for mammographically guided breast  
61 11 biopsy, screening, and diagnostic mammography shall be used to  
61 12 support the department's administration of this chapter and  
61 13 the fees collected shall be considered repayment receipts, as  
61 14 defined in section 8.2.  
61 15 c. When a registrant or licensee fails to pay the  
61 16 applicable fee the department may suspend or revoke the  
61 17 registration or license or may issue an appropriate order.  
61 18 Fees for the license, amendment of a license, and inspection  
61 19 of radioactive material shall not exceed the fees prescribed  
61 20 by the United States nuclear regulatory commission.

CODE: Requires that the fees collected from the various licensing and inspection activities for machines used for mammography be used to support the Department of Public Health's administrative costs related to the licensure and inspections.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa.

61 21 Sec. 75. Section 144.13A, subsection 4, paragraph a,  
61 22 unnumbered paragraph 2, Code 2005, is amended to read as

CODE: Permits nonreversion of funds appropriated from birth certificate fees to the Primary and Secondary Child Abuse Prevention Programs and the Center for Congenital and Inherited Disorders

61 23 follows:  
 61 24 ~~Beginning July 1, 2005, ten~~ Ten dollars of each  
 61 25 registration fee is appropriated and shall be used for primary  
 61 26 and secondary child abuse prevention programs pursuant to  
 61 27 section 235A.1, and ten dollars of each registration fee is  
 61 28 appropriated and shall be used for the center for congenital  
 61 29 and inherited disorders central registry established pursuant  
 61 30 to section 136A.6. Notwithstanding section 8.33, moneys  
 61 31 appropriated in this unnumbered paragraph that remain  
 61 32 unencumbered or unobligated at the close of the fiscal year  
 61 33 shall not revert but shall remain available for expenditure  
 61 34 for the purposes designated until the close of the succeeding  
 61 35 fiscal year.

Central Registry.

62 1 Sec. 76. NEW SECTION. 144.46A VITAL RECORDS FUND.  
 62 2 1. A vital records fund is created under the control of  
 62 3 the department. Moneys in the fund shall be used for purposes  
 62 4 of the purchase and maintenance of an electronic system for  
 62 5 vital records scanning, data capture, data reporting, storage,  
 62 6 and retrieval, and for all registration and issuance  
 62 7 activities. Moneys in the fund may also be used for other  
 62 8 related purposes including but not limited to the streamlining  
 62 9 of administrative procedures and electronically linking  
 62 10 offices of county registrars to state vital records so that  
 62 11 the records may be issued at the county level.  
 62 12 2. The department shall adopt rules providing for an  
 62 13 increase in the fees charged by the state registrar for vital  
 62 14 records services under section 144.46 in an amount necessary  
 62 15 to pay for the purposes designated in subsection 1.  
 62 16 3. Increased fees collected by the state registrar  
 62 17 pursuant to this section shall be credited to the vital  
 62 18 records fund. Moneys credited to the fund are appropriated to  
 62 19 the department to be used for the purposes designated in  
 62 20 subsection 1. Notwithstanding section 8.33, moneys credited  
 62 21 to the fund that remain unencumbered or unobligated at the  
 62 22 close of the fiscal year shall not revert to any fund but

CODE: Creates a Vital Records Fund within the Department of Public Health and specifies the provisions for the process. Permits an increase in fees charged by the State Registrar for Vital Records to be retained by the Department for the Fund.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa. The historical reference has been to a Vital Records Modernization Project and is being codified as a Vital Records Fund.

62 23 shall remain available for expenditure for the purposes  
62 24 designated.

62 25 Sec. 77. NEW SECTION. 147.28A SCOPE OF PRACTICE REVIEW  
62 26 COMMITTEES -- FUTURE REPEAL.

62 27 1. The department shall utilize scope of practice review  
62 28 committees to evaluate and make recommendations to the general  
62 29 assembly and to the appropriate examining boards regarding all  
62 30 of the following issues:

62 31 a. Requests from practitioners seeking to become newly  
62 32 licensed health professionals or to establish their own  
62 33 examining boards.

62 34 b. Requests from health professionals seeking to expand or  
62 35 narrow the scope of practice of a health profession.

63 1 c. Unresolved administrative rulemaking disputes between  
63 2 examining boards.

63 3 2. A scope of practice review committee established under  
63 4 this section shall evaluate the issues specified in subsection  
63 5 1 and make recommendations regarding proposed changes to the  
63 6 general assembly based on the following standards and  
63 7 guidelines:

63 8 a. The proposed change does not pose a significant new  
63 9 danger to the public.

63 10 b. Enacting the proposed change will benefit the health,  
63 11 safety, or welfare of the public.

63 12 c. The public cannot be effectively protected by other  
63 13 more cost-effective means.

63 14 3. A scope of practice review committee shall be limited  
63 15 to five members as follows:

63 16 a. One member representing the profession seeking  
63 17 licensure, a new examining board, or a change in scope of  
63 18 practice.

63 19 b. One member of the health profession directly impacted  
63 20 by, or opposed to, the proposed change.

63 21 c. One impartial health professional who is not directly  
63 22 or indirectly affected by the proposed change.

CODE: Requires the Department of Public Health to utilize Scope of Practice Review Committees to evaluate various examining boards. This Section is repealed July 1, 2007.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa.

63 23 d. Two impartial members of the general public.  
63 24 4. The department may contract with a school or college of  
63 25 public health to assist in implementing this section.  
63 26 5. The department shall submit an annual progress report  
63 27 to the governor and the general assembly by January 15 and  
63 28 shall include any recommendations for legislative action as a  
63 29 result of review committee activities.  
63 30 6. The department shall adopt rules in accordance with  
63 31 chapter 17A to implement this section.  
63 32 7. This section is repealed July 1, 2007.

63 33 Sec. 78. Section 147.80, Code 2005, is amended by adding  
63 34 the following new unnumbered paragraph:  
63 35 NEW UNNUMBERED PARAGRAPH. The board of medical examiners,  
64 1 the board of pharmacy examiners, the board of dental  
64 2 examiners, and the board of nursing shall retain individual  
64 3 executive officers, but shall make every effort to share  
64 4 administrative, clerical, and investigative staffs to the  
64 5 greatest extent possible. The department shall annually  
64 6 submit a status report to the general assembly in December  
64 7 regarding the sharing of staff during the previous fiscal  
64 8 year.

CODE: Requires the Boards of Medical Examiners, Pharmacy Examiners, Dental Examiners, and Nursing to attempt to share staff when possible. Requires an annual status report in December of each year.

DETAIL: This language has been included in prior year's appropriations Acts for these Examining Boards and is being codified to make it a permanent part of the Code of Iowa.

64 9 Sec. 79. Section 147.82, Code 2005, is amended to read as  
64 10 follows:  
64 11 147.82 FEES.  
64 12 All Notwithstanding section 12.10, all fees shall be  
64 13 collected under this chapter by an examining board or the  
64 14 department and shall be paid to the treasurer of state and  
64 15 deposited in credited to the general fund of the state, except  
64 16 as provided in sections 147.94 and 147.102. for the following:  
64 17 1. The department may retain and expend or encumber a  
64 18 portion of fees collected under this chapter for an examining  
64 19 board if the expenditure or encumbrance is directly the result  
64 20 of an unanticipated litigation expense or an expense

CODE: Provides for the use and distribution of various fees collected by the licensure boards under the Department of Public Health.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa.



64 21 associated with a scope of practice review committee created  
64 22 pursuant to section 147.28A. Before the department retains,  
64 23 expends, or encumbers funds for an unanticipated litigation  
64 24 expense or a scope of practice review committee, the director  
64 25 of the department of management shall approve the expenditure  
64 26 or encumbrance. The amount of fees retained pursuant to this  
64 27 subsection shall not exceed five percent of the average annual  
64 28 fees generated by the affected examining board for the two  
64 29 previous fiscal years. The amount of fees retained shall be  
64 30 considered repayment receipts as defined in section 8.2.  
64 31 2. The department may annually retain and expend not more  
64 32 than two hundred ninety-seven thousand nine hundred sixty-one  
64 33 dollars for lease and maintenance expenses from fees collected  
64 34 pursuant to section 147.80 by the board of dental examiners,  
64 35 the board of pharmacy examiners, the board of medical  
65 1 examiners, and the board of nursing. Fees retained by the  
65 2 department pursuant to this subsection shall be considered  
65 3 repayment receipts as defined in section 8.2.  
65 4 3. The department may annually retain and expend not more  
65 5 than one hundred thousand dollars for reduction of the number  
65 6 of days necessary to process medical license requests and for  
65 7 reduction of the number of days needed for consideration of  
65 8 malpractice cases from fees collected pursuant to section  
65 9 147.80 by the board of medical examiners in the fiscal year  
65 10 beginning July 1, 2005, and ending June 30, 2006. Fees  
65 11 retained by the department pursuant to this subsection shall  
65 12 be considered repayment receipts as defined in section 8.2 and  
65 13 shall be used for the purposes described in this subsection.  
65 14 4. The board of dental examiners may annually retain and  
65 15 expend not more than one hundred forty-eight thousand sixty  
65 16 dollars from revenues generated pursuant to section 147.80.  
65 17 Fees retained by the board pursuant to this subsection shall  
65 18 be considered repayment receipts as defined in section 8.2 and  
65 19 shall be used for the purposes of regulating dental  
65 20 assistants.  
65 21 5. The board of nursing may annually retain and expend  
65 22 ninety percent of the revenues generated from an increase in

65 23 license and renewal fees established pursuant to section  
65 24 147.80 for the practice of nursing, above the license and  
65 25 renewal fees in effect as of July 1, 2003. The moneys  
65 26 retained shall be used for any of the board's duties,  
65 27 including but not limited to the addition of full-time  
65 28 equivalent positions for program services and investigations.  
65 29 Revenues retained by the board pursuant to this subsection  
65 30 shall be considered repayment receipts as defined in section  
65 31 8.2, and shall be used for the purposes described in this  
65 32 subsection.  
65 33 6. The board of pharmacy examiners may annually retain and  
65 34 expend ninety percent of the revenues generated from an  
65 35 increase in license and renewal fees established pursuant to  
66 1 sections 124.301 and 147.80, and chapter 155A, for the  
66 2 practice of pharmacy, above the license and renewal fees in  
66 3 effect as of July 1, 2004. The moneys retained shall be used  
66 4 for any of the board's duties, including but not limited to  
66 5 the addition of full-time equivalent positions for program  
66 6 services and investigations. Revenues retained by the board  
66 7 pursuant to this subsection shall be considered repayment  
66 8 receipts as defined in section 8.2, and shall be used for the  
66 9 purposes described in this subsection.

66 10 Sec. 80. Section 147.94, Code 2005, is amended to read as  
66 11 follows:

66 12 147.94 PHARMACISTS.

66 13 The provisions of this chapter relative to the making of  
66 14 application for a license, the issuance of a license, the  
66 15 negotiation of reciprocal agreements for recognition of  
66 16 foreign licenses, ~~the collection of license and renewal fees,~~  
66 17 and the preservation of records shall not apply to the  
66 18 licensing of persons to practice pharmacy, but such licensing  
66 19 shall be governed by the following ~~regulations~~:

66 20 1. Every application for a license to practice pharmacy  
66 21 shall be made ~~direct~~ to the secretary of the board of pharmacy  
66 22 examiners.

CODE: Conforming language to reflect the codification of licensure fee moneys for the Board of Pharmacy Examiners.

DETAIL: This language has been included in prior year appropriations Acts for the Board and is being codified to make it a permanent part of the Code of Iowa.

66 23 2. ~~Such~~ A license and all renewals ~~thereof~~ of a license  
66 24 shall be issued by ~~said~~ the board of pharmacy examiners.  
66 25 3. Every reciprocal agreement for the recognition of any  
66 26 ~~such~~ license issued in another state shall be negotiated by  
66 27 ~~said~~ the board of pharmacy examiners.  
66 28 4. ~~All license and renewal fees exacted from persons~~  
66 29 ~~licensed to practice pharmacy shall be paid to and collected~~  
66 30 ~~by the secretary of the pharmacy examiners.~~  
66 31 5. 4. All records in connection with the licensing of  
66 32 pharmacists shall be kept by ~~said~~ the secretary of the board  
66 33 of pharmacy examiners.

66 34 Sec. 81. Section 147.102, Code 2005, is amended to read as  
66 35 follows:  
67 1 147.102 PSYCHOLOGISTS, CHIROPRACTORS, AND DENTISTS.  
67 2 Notwithstanding the provisions of this subtitle, every  
67 3 application for a license to practice psychology,  
67 4 chiropractic, or dentistry shall be made directly to the  
67 5 chairperson, executive director, or secretary of the examining  
67 6 board of such profession, and every reciprocal agreement for  
67 7 the recognition of any such license issued in another state  
67 8 shall be negotiated by the examining board for such  
67 9 profession. All examination, license, and renewal fees  
67 10 received from persons licensed to practice any of such  
67 11 professions shall be paid to and collected by the chairperson,  
67 12 executive director, or secretary of the examining board of  
67 13 such profession, ~~who shall transmit the fees to the treasurer~~  
67 14 ~~of state for deposit into the general fund of the state.~~ The  
67 15 salary of the secretary shall be established by the governor  
67 16 with the approval of the executive council pursuant to section  
67 17 8A.413, subsection 2, under the pay plan for exempt positions  
67 18 in the executive branch of government.

67 19 Sec. 82. Section 217.13, subsection 1, Code 2005, is  
67 20 amended to read as follows:

CODE: Conforming language to reflect the codification of licensure fee moneys of the Examining Boards for psychologists, chiropractors, and dentists.

DETAIL: This language has been included in prior year appropriations Acts for these Boards and is being codified to make it a permanent part of the Code of Iowa.

CODE: Adds to the requirements of the volunteer programs within the Department of Human Services to include functions to compliment and supplement working with clients.

67 21 1. The department of human services shall establish  
67 22 volunteer programs designed to enhance the services provided  
67 23 by the department. Roles for volunteers may include but shall  
67 24 not be limited to parent aides, friendly visitors, commodity  
67 25 distributors, clerical assistants, ~~and~~ medical transporters,  
67 26 and other functions to complement and supplement the  
67 27 department's work with clients. Roles for volunteers shall  
67 28 include conservators and guardians. The department shall  
67 29 adopt rules for programs which are established.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa.

67 30 Sec. 83. NEW SECTION. 217.35 FRAUD AND RECOUPMENT  
67 31 ACTIVITIES.

CODE: Appropriates moneys from fraud and recoupment activities conducted by the Department of Human Services to be used for these activities.

67 32 Notwithstanding the requirement for deposit of recovered  
67 33 moneys under section 239B.14, recovered moneys generated  
67 34 through fraud and recoupment activities are appropriated to  
67 35 the department of human services to be used for additional  
68 1 fraud and recoupment activities performed by the department of  
68 2 human services or the department of inspections and appeals.  
68 3 The department of human services may use the recovered moneys  
68 4 appropriated to add not more than five full-time equivalent  
68 5 positions, in addition to those funded by annual  
68 6 appropriations. The appropriation of the recovered moneys is  
68 7 subject to both of the following conditions:  
68 8 1. The director of human services determines that the  
68 9 investment can reasonably be expected to increase recovery of  
68 10 assistance paid in error, due to fraudulent or nonfraudulent  
68 11 actions, in excess of the amount recovered in the previous  
68 12 fiscal year.  
68 13 2. The amount expended for the additional fraud and  
68 14 recoupment activities shall not exceed the amount of the  
68 15 projected increase in assistance recovered.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

68 16 Sec. 84. NEW SECTION. 218.6 TRANSFER OF APPROPRIATIONS  
68 17 MADE TO INSTITUTIONS.

68 18 Notwithstanding section 8.39, subsection 1, without the

CODE: Permits the Department of Human Services to internally transfer funds between the two State Resource Centers, between the four Mental Health Institutes, and between the two juvenile institutions in lieu of the requirement of transfer notice.

68 19 prior written consent and approval of the governor and the  
68 20 director of the department of management, the director of  
68 21 human services may transfer funds between the appropriations  
68 22 made for the same type of institution, listed as follows:

- 68 23 1. The state resource centers.
- 68 24 2. The state mental health institutes.
- 68 25 3. The state juvenile institutions consisting of the state  
68 26 training school and the Iowa juvenile home.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

68 27 Sec. 85. NEW SECTION. 222.92 NET GENERAL FUND  
68 28 APPROPRIATION -- STATE RESOURCE CENTERS.

68 29 1. The department shall operate the state resource centers  
68 30 on the basis of net appropriations from the general fund of  
68 31 the state. The appropriation amounts shall be the net amounts  
68 32 of state moneys projected to be needed for the state resource  
68 33 centers for the fiscal year of the appropriations. The  
68 34 purpose of utilizing net appropriations is to encourage the  
68 35 state resource centers to operate with increased self-  
69 1 sufficiency, to improve quality and efficiency, and to support  
69 2 collaborative efforts between the state resource centers and  
69 3 counties and other providers of funding for the services  
69 4 available from the state resource centers. The state resource  
69 5 centers shall not be operated under the net appropriations in  
69 6 a manner that results in a cost increase to the state or in  
69 7 cost shifting between the state, the medical assistance  
69 8 program, counties, or other sources of funding for the state  
69 9 resource centers.

69 10 2. The net appropriation made for a state resource center  
69 11 may be used throughout the fiscal year in the manner necessary  
69 12 for purposes of cash flow management, and for purposes of cash  
69 13 flow management, a state resource center may temporarily draw  
69 14 more than the amount appropriated, provided the amount  
69 15 appropriated is not exceeded at the close of the fiscal year.

69 16 3. Subject to the approval of the department, except for  
69 17 revenues segregated as provided in section 249A.11, revenues  
69 18 received that are attributed to a state resource center for a

CODE: Provides that the two State Resource Centers at Glenwood and Woodward operate under a net appropriations basis from the General Fund and retain non-General Fund revenues in lieu of depositing the revenue in the General Fund.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

69 19 fiscal year shall be credited to the state resource center's  
69 20 account and shall be considered repayment receipts as defined  
69 21 in section 8.2, including but not limited to all of the  
69 22 following:  
69 23     a. Moneys received by the state from billings to counties  
69 24 under section 222.73.  
69 25     b. The federal share of medical assistance program revenue  
69 26 received under chapter 249A.  
69 27     c. Federal Medicare program payments.  
69 28     d. Moneys received from client financial participation.  
69 29     e. Other revenues generated from current, new, or expanded  
69 30 services that the state resource center is authorized to  
69 31 provide.  
69 32     4. For purposes of allocating moneys to the state resource  
69 33 centers from the salary adjustment fund created in section  
69 34 8.43, the state resource centers shall be considered to be  
69 35 funded entirely with state moneys.  
70 1     5. Notwithstanding section 8.33, up to five hundred  
70 2 thousand dollars of a state resource center's revenue that  
70 3 remains unencumbered or unobligated at the close of the fiscal  
70 4 year shall not revert but shall remain available for  
70 5 expenditure for purposes of the state resource center until  
70 6 the close of the succeeding fiscal year.

70 7 Sec. 86. NEW SECTION. 226.9B NET GENERAL FUND  
70 8 APPROPRIATION -- PSYCHIATRIC MEDICAL INSTITUTION FOR CHILDREN.  
70 9     1. The psychiatric medical institution for children beds  
70 10 operated by the state at the state mental health institute at  
70 11 Independence, as authorized in section 135H.6, shall operate  
70 12 on the basis of a net appropriation from the general fund of  
70 13 the state. The allocation made by the department from the  
70 14 annual appropriation to the state mental health institute at  
70 15 Independence for the purposes of the beds shall be the net  
70 16 amount of state moneys projected to be needed for the beds for  
70 17 the fiscal year of the appropriation.  
70 18     2. Revenues received that are attributed to the

CODE: Provides that the Psychiatric Medical Institution for Children (PMIC) at the Mental Health Institute at Independence operate under a net appropriations basis from the General Fund and retain non-General Fund revenues in lieu of depositing revenues in the General Fund.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

70 19 psychiatric medical institution for children beds during a  
70 20 fiscal year shall be credited to the mental health institute's  
70 21 account and shall be considered repayment receipts as defined  
70 22 in section 8.2, including but not limited to all of the  
70 23 following:  
70 24     a. The federal share of medical assistance program revenue  
70 25 received under chapter 249A.  
70 26     b. Moneys received through client financial participation.  
70 27     c. Other revenues directly attributable to the psychiatric  
70 28 medical institution for children beds.

70 29     Sec. 87. NEW SECTION. 226.9C NET GENERAL FUND  
70 30 APPROPRIATION -- DUAL DIAGNOSIS PROGRAM.  
70 31     1. The state mental health institute at Mount Pleasant  
70 32 shall operate the dual diagnosis mental health and substance  
70 33 abuse program on a net budgeting basis in which 50 percent of  
70 34 the actual per diem and ancillary services costs are  
70 35 chargeable to the patient's county of legal settlement or as a  
71 1 state case, as appropriate. Subject to the approval of the  
71 2 department, revenues attributable to the dual diagnosis  
71 3 program for each fiscal year, shall be deposited in the mental  
71 4 health institute's account and are appropriated to the  
71 5 department for the dual diagnosis program, including but not  
71 6 limited to all of the following revenues:  
71 7     a. Moneys received by the state from billings to counties  
71 8 under section 230.20.  
71 9     b. Moneys received from billings to the Medicare program.  
71 10     c. Moneys received from a managed care contractor  
71 11 providing services under contract with the department or any  
71 12 private third-party payor.  
71 13     d. Moneys received through client participation.  
71 14     e. Any other revenues directly attributable to the dual  
71 15 diagnosis program.  
71 16     2. The following additional provisions are applicable in  
71 17 regard to the dual diagnosis program:  
71 18     a. A county may split the charges between the county's

CODE: Provides that the Dual Diagnosis Unit at the Mental Health Institute at Mt. Pleasant operate under a net appropriations basis from the General Fund and retain non-General Fund revenues in lieu of depositing the revenues in the General Fund.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

71 19 mental health, mental retardation, and developmental  
71 20 disabilities services fund created pursuant to section  
71 21 331.424A and the county's budget for substance abuse  
71 22 expenditures.  
71 23 b. If an individual is committed to the custody of the  
71 24 department of corrections at the time the individual is  
71 25 referred for dual diagnosis treatment, the department of  
71 26 corrections shall be charged for the costs of treatment.  
71 27 c. Prior to an individual's admission for dual diagnosis  
71 28 treatment, the individual shall have been screened through a  
71 29 county's central point of coordination process implemented  
71 30 pursuant to section 331.440 to determine the appropriateness  
71 31 of the treatment.  
71 32 d. A county shall not be chargeable for the costs of  
71 33 treatment for an individual enrolled in and authorized by or  
71 34 decertified by a managed behavioral care plan under the  
71 35 medical assistance program.  
72 1 e. Notwithstanding section 8.33, state mental health  
72 2 institute revenues related to the dual diagnosis program that  
72 3 remain unencumbered or unobligated at the close of the fiscal  
72 4 year shall not revert but shall remain available up to the  
72 5 amount which would allow the state mental health institute to  
72 6 meet credit obligations owed to counties as a result of year-  
72 7 end per diem adjustments for the dual diagnosis program.

72 8 Sec. 88. Section 226.19, Code 2005, is amended to read as  
72 9 follows:

72 10 226.19 DISCHARGE -- CERTIFICATE.

72 11 1. All patients shall be discharged, by in accordance with  
72 12 the procedure prescribed in section 229.3 or section 229.16,  
72 13 whichever is applicable, immediately on regaining their the  
72 14 patient's good mental health.

72 15 2. If a patient's care is the financial responsibility of  
72 16 the state or a county, as part of the patient's discharge  
72 17 planning the state mental health institute shall provide  
72 18 assistance to the patient in obtaining eligibility for the

CODE: Requires the DHS to provide assistance in obtaining federal Supplemental Security Income (SSI) benefits to persons being discharged from the four Mental Health Institutes.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.



72 19 federal state supplemental security income program.

72 20 Sec. 89. Section 229A.12, Code 2005, is amended to read as  
72 21 follows:

72 22 229A.12 DIRECTOR OF HUMAN SERVICES -- RESPONSIBILITY FOR  
72 23 COSTS -- REIMBURSEMENT.

72 24 The director of human services shall be responsible for all  
72 25 costs relating to the evaluation, treatment, and services  
72 26 provided to a person that are incurred after the person is  
72 27 committed to the director's custody after the court or jury  
72 28 determines that the respondent is a sexually violent predator  
72 29 and pursuant to commitment under any provision of this  
72 30 chapter. If placement in a transitional release program or  
72 31 supervision is ordered, the director shall also be responsible  
72 32 for all costs related to the transitional release program or  
72 33 to the supervision and treatment of any person. Reimbursement  
72 34 may be obtained by the director from the patient and any  
72 35 person legally liable or bound by contract for the support of  
73 1 the patient for the cost of confinement or of care and  
73 2 treatment provided. Any benefit payments received by the  
73 3 person pursuant to the federal Social Security Act shall be  
73 4 used for the costs incurred. As used in this section, "any  
73 5 person legally liable" does not include a political  
73 6 subdivision.

CODE: Requires that federal Social Security Act benefit payments received by a person within the Sexually Violent Predator Program of the Department of Human Services is to be used for the costs incurred by the Program.

73 7 Sec. 90. NEW SECTION. 231.34 LIMITATION OF FUNDS USED  
73 8 FOR ADMINISTRATIVE PURPOSES.

73 9 Of the state funds appropriated or allocated to the  
73 10 department for programs of the area agencies on aging, not  
73 11 more than seven and one-half percent of the total amount shall  
73 12 be used for area agencies on aging administrative purposes.

CODE: Limits the administrative costs for Area Agencies on Aging to 7.50% of the State funds received.

DETAIL: This language has been included in prior year appropriations Acts for the Area Agencies on Aging and is being codified to make it a permanent part of the Code of Iowa.

73 13 Sec. 91. NEW SECTION. 232.1A FOSTER CARE PLACEMENT --  
73 14 ANNUAL GOAL.

73 15 The annual state goal for children placed in foster care

CODE: Specifies that the annual goal for foster care placement funded under the federal Social Security Act, Title IV-E, not exceed 15.00% of the children placed in a foster care for more than 24

73 16 that is funded under the federal Social Security Act, Title  
 73 17 IV-E, is that not more than fifteen percent of the children  
 73 18 will be in a foster care placement for a period of more than  
 73 19 twenty-four months.

months.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

73 20 Sec. 92. Section 233A.1, Code 2005, is amended by adding  
 73 21 the following new subsection:  
 73 22 NEW SUBSECTION. 3. The number of children present at any  
 73 23 one time at the state training school at Eldora shall not  
 73 24 exceed the population guidelines established under 1990 Iowa  
 73 25 Acts, chapter 1239, section 21, as adjusted for subsequent  
 73 26 changes in the capacity at the training school.

CODE: Requires the population levels at the State Training School in Eldora not exceed the adjusted population guidelines established by the General Assembly in 1990.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

73 27 Sec. 93. Section 233B.1, Code 2005, is amended to read as  
 73 28 follows:  
 73 29 233B.1 DEFINITIONS — ~~OBJECTS~~ PURPOSE -- POPULATION LIMIT.  
 73 30 1. For the purpose of this chapter, unless the context  
 73 31 otherwise requires:  
 73 32 ~~1.~~ a. "Administrator" or "director" means the director of  
 73 33 the department of human services.  
 73 34 ~~2.~~ b. "Home" means the Iowa juvenile home.  
 73 35 ~~3.~~ c. "Superintendent" means the superintendent of the  
 74 1 Iowa juvenile home.  
 74 2 2. The Iowa juvenile home shall be maintained for the  
 74 3 purpose of providing care, custody and education of ~~such the~~  
 74 4 children ~~as~~ are committed to the home. ~~Such The~~ children  
 74 5 shall be wards of the state. ~~Their The children's~~ education  
 74 6 shall embrace instruction in the common school branches and in  
 74 7 such other higher branches as may be practical and will enable  
 74 8 the children to gain useful and self-sustaining employment.  
 74 9 The administrator and the superintendent of the home shall  
 74 10 assist all discharged children in securing suitable homes and  
 74 11 proper employment.  
 74 12 3. The number of children present at any one time at the

CODE: Requires the population levels at the State Juvenile Home in Toledo not exceed the adjusted population guidelines established by the General Assembly in 1990.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

74 13 Iowa juvenile home shall not exceed the population guidelines  
74 14 established under 1990 Iowa Acts, chapter 1239, section 21, as  
74 15 adjusted for subsequent changes in the capacity at the home.

74 16 Sec. 94. Section 234.12A, subsection 1, unnumbered  
74 17 paragraph 1, Code 2005, is amended to read as follows:

74 18 The department of human services ~~may establish~~ shall  
74 19 maintain an electronic benefits transfer program utilizing  
74 20 electronic funds transfer systems. The program, ~~if~~  
74 21 ~~established~~, shall at a minimum provide for all of the  
74 22 following:

CODE: Requires the Department of Human Services to maintain the Electronic Benefits Transfer (EBT) Program.

74 23 Sec. 95. Section 237A.28, Code 2005, is amended to read as  
74 24 follows:

74 25 237A.28 CHILD CARE CREDIT FUND.

74 26 A child care credit fund is created in the state treasury  
74 27 under the authority of the department of human services. The  
74 28 moneys in the fund shall consist of moneys deposited pursuant  
74 29 to section 422.100 and ~~shall be used for child care services~~  
74 30 ~~as annually are appropriated by the general assembly to the~~  
74 31 department to be used for the state child care assistance  
74 32 program in accordance with section 237A.13.

CODE: Appropriates moneys in the Child Care Credit Fund to the Department of Human Services for use in the State Child Care Assistance Program.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

74 33 Sec. 96. Section 239B.4, Code 2005, is amended by adding  
74 34 the following new subsections:

74 35 NEW SUBSECTION. 3A. The department shall continue to work  
75 1 with the department of workforce development and local  
75 2 community collaborative efforts to provide support services  
75 3 for participants. The support services shall be directed to  
75 4 those participant families who would benefit from the support  
75 5 services and are likely to have success in achieving economic  
75 6 independence.

CODE: Requires the Department of Human Services to collaborate with the Department of Workforce Development regarding support services to those eligible for the Family Investment Program (FIP).

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

75 7 NEW SUBSECTION. 3B. The department shall continue to work  
 75 8 with religious organizations and other charitable institutions  
 75 9 to increase the availability of host homes, referred to as  
 75 10 second chance homes, or other living arrangements under the  
 75 11 federal Personal Responsibility and Work Opportunity  
 75 12 Reconciliation Act of 1996, Pub. L. No. 104-193, § 103, and  
 75 13 any successor legislation. The purpose of the homes or  
 75 14 arrangements is to provide a supportive and supervised living  
 75 15 arrangement for minor parents receiving assistance who may  
 75 16 receive assistance while living in an alternative setting  
 75 17 other than with their parent or legal guardian.

CODE: Requires the Department of Human Services to work with various organizations to increase the availability of host homes.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

75 18 Sec. 97. Section 239B.11, Code 2005, is amended to read as  
 75 19 follows:  
 75 20 239B.11 FAMILY INVESTMENT PROGRAM ACCOUNT -- DIVERSION  
 75 21 PROGRAM SUBACCOUNT -- DIVERSION PROGRAM.

CODE: Provides one-time cash payments and local flexibility within the Diversion Program of the Family Investment Program. Requires the Department of Human Services to assess individuals for the Diversion Program and permits adoption of eligibility criteria.

75 22 1. An account is established in the state treasury to be  
 75 23 known as the family investment program account under control  
 75 24 of the department to which shall be credited all funds  
 75 25 appropriated by the state for the payment of assistance and  
 75 26 JOBS program expenditures. All other moneys received at any  
 75 27 time for these purposes, including child support revenues,  
 75 28 shall be deposited into the account as provided by law. All  
 75 29 assistance and JOBS program expenditures under this chapter  
 75 30 shall be paid from the account.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

75 31 2. a. A diversion program subaccount is created within  
 75 32 the family investment program account. The subaccount may be  
 75 33 used to provide incentives to divert ~~applicants'~~ a family's  
 75 34 participation in the family investment program if the  
 75 35 ~~applicants meet~~ family meets the department's income  
 76 1 eligibility requirements for ~~assistance~~ the diversion program.  
 76 2 Incentives may be provided in the form of payment or services  
 76 3 ~~with a focus on helping applicants~~ to help a family to obtain  
 76 4 or retain employment. The diversion program subaccount may  
 76 5 also be used for payments to participants as necessary to  
 76 6 cover the expenses of removing barriers to employment and to

76 7 assist in stabilizing employment. In addition, the diversion  
 76 8 program subaccount may be used for funding of services and  
 76 9 payments for persons whose family investment program  
 76 10 eligibility has ended, in order to help the persons to  
 76 11 stabilize or improve their employment status.  
 76 12 b. The diversion program shall be implemented statewide in  
 76 13 a manner that preserves local flexibility in program design.  
 76 14 The department shall assess and screen individuals who would  
 76 15 most likely benefit from diversion program assistance. The  
 76 16 department may adopt additional eligibility criteria for the  
 76 17 diversion program as necessary for compliance with federal law  
 76 18 and for screening those families who would be most likely to  
 76 19 become eligible for the family investment program if diversion  
 76 20 program incentives would not be provided to the families.

76 21 Sec. 98. Section 249.3, subsection 4, paragraphs e and g,  
 76 22 Code 2005, are amended to read as follows:  
 76 23 e. Receive full medical assistance benefits under chapter  
 76 24 249A and are not required to meet a spend-down or pay a  
 76 25 premium to be eligible for such benefits.  
 76 26 g. Have income ~~exceeding~~ of at least one hundred ~~thirty-~~  
 76 27 ~~five~~ twenty percent of the federal poverty level but not  
 76 28 exceeding the medical assistance income limit for the  
 76 29 eligibility group for the individual person's living  
 76 30 arrangement.

76 31 Sec. 99. Section 249A.12, subsection 6, paragraph c, Code  
 76 32 2005, is amended to read as follows:  
 76 33 c. The person's county of legal settlement shall pay for  
 76 34 the nonfederal share of the cost of services provided under  
 76 35 the waiver, and the state shall pay for the nonfederal share  
 77 1 of such costs if the person does not have ~~a county of~~ legal  
 77 2 settlement in this state or the legal settlement is unknown.

77 3 Sec. 100. Section 249A.12, subsection 6, Code 2005, is

CODE: Decreases the upper income payment limit for eligibility of the State Supplementary Assistance (SSA) Program. This will allow federal matching funds to replace 100.00% State funds for the Medicare premiums for an additional group of SSA recipients.

DETAIL: A decrease of \$2,127,672 has been included in the Medical Assistance appropriation for this change.

CODE: Clarifies when the State pays for the non-federal share of costs of a person without legal settlement.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

CODE: Specifies the county is responsible for 100.00% of the

77 4 amended by adding the following new paragraph:  
 77 5 NEW PARAGRAPH. d. The county of legal settlement shall  
 77 6 pay for one hundred percent of the nonfederal share of the  
 77 7 costs of care provided for adults which is reimbursed under a  
 77 8 home and community-based services waiver that would otherwise  
 77 9 be approved for provision in an intermediate care facility for  
 77 10 persons with mental retardation provided under the medical  
 77 11 assistance program.

payments of the nonfederal share for those eligible for the specified adult services under the Medical Assistance Program (Medicaid).

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

77 12 Sec. 101. Section 249A.12, Code 2005, is amended by adding  
 77 13 the following new subsection:  
 77 14 NEW SUBSECTION. 7. When paying the necessary and legal  
 77 15 expenses for intermediate care facility for persons with  
 77 16 mental retardation services, the cost requirements of section  
 77 17 222.60 shall be considered fulfilled when payment is made in  
 77 18 accordance with the medical assistance payment rates  
 77 19 established by the department for intermediate care facilities  
 77 20 for persons with mental retardation, and the state or a county  
 77 21 of legal settlement shall not be obligated for any amount in  
 77 22 excess of the rates.

CODE: Requires the cost requirements regarding legal settlement and county participation in funding for persons with mental retardation and developmental disabilities, including case management services to be considered fulfilled once payment is made.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

77 23 Sec. 102. Section 249A.24, Code 2005, is amended by adding  
 77 24 the following new subsection:  
 77 25 NEW SUBSECTION. 3. The commission shall submit an annual  
 77 26 review, including facts and findings, of the drugs on the  
 77 27 department's prior authorization list to the department and to  
 77 28 the members of the general assembly's joint appropriations  
 77 29 subcommittee on health and human services.

CODE: Requires the Drug Utilization Review Commission to submit an annual review of the drugs on the Prior Authorization List of the Department of Human Services.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

77 30 Sec. 103. Section 249A.26, Code 2005, is amended to read  
 77 31 as follows:  
 77 32 249A.26 STATE AND COUNTY PARTICIPATION IN FUNDING FOR  
 77 33 SERVICES TO PERSONS WITH DISABILITIES -- CASE MANAGEMENT.  
 77 34 1. The state shall pay for one hundred percent of the  
 77 35 nonfederal share of the services paid for under any prepaid

CODE: Specifies when the State or when the county is responsible for payments of the non-federal share for those eligible for various services under the Medical Assistance Program (Medicaid).

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is

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78 1 mental health services plan for medical assistance implemented 78 2 by the department as authorized by law. 78 3 2. <del>a. The</del> Except as provided for disallowed costs in 78 4 <u>section 249A.27, the county of legal settlement shall pay for</u> 78 5 <u>fifty percent of the nonfederal share of the cost and the</u> 78 6 <u>state shall have responsibility for the remaining fifty</u> 78 7 <u>percent of the nonfederal share of the cost of case management</u> 78 8 <u>provided to adults, day treatment, and partial hospitalization</u> 78 9 <u>provided under the medical assistance program for persons with</u> 78 10 <u>mental retardation, a developmental disability, or chronic</u> 78 11 <u>mental illness. For purposes of this section, persons with</u> 78 12 <u>mental disorders resulting from Alzheimer's disease or</u> 78 13 <u>substance abuse shall not be considered chronically mentally</u> 78 14 <u>ill. To the maximum extent allowed under federal law and</u> 78 15 <u>regulations, the department shall consult with and inform a</u> 78 16 <u>county of legal settlement's central point of coordination</u> 78 17 <u>process, as defined in section 331.440, regarding the</u> 78 18 <u>necessity for and the provision of any service for which the</u> 78 19 <u>county is required to provide reimbursement under this</u> 78 20 <u>subsection.</u> 78 21 <u>b. The state shall pay for one hundred percent of the</u> 78 22 <u>nonfederal share of the costs of case management provided for</u> 78 23 <u>adults, day treatment, partial hospitalization, and the home</u> 78 24 <u>and community-based services waiver services for persons who</u> 78 25 <u>do not have legal settlement in this state or the legal</u> 78 26 <u>settlement is unknown.</u> 78 27 <u>c. The case management services specified in this</u> 78 28 <u>subsection shall be paid for by a county only if the services</u> 78 29 <u>are provided outside of a managed care contract.</u> 78 30 3. To the maximum extent allowed under federal law and 78 31 regulations, a person with mental illness or mental 78 32 retardation shall not be eligible for any service which is 78 33 funded in whole or in part by a county share of the nonfederal 78 34 portion of medical assistance funds unless the person is 78 35 referred through the central point of coordination process, as 79 1 defined in section 331.440. However, to the extent federal 79 2 law allows referral of a medical assistance recipient to a	being codified to make it a permanent part of the <u>Code of Iowa</u> .
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79 3 service without approval of the central point of coordination  
79 4 process, the county of legal settlement shall be billed for  
79 5 the nonfederal share of costs for any adult person for whom  
79 6 the county would otherwise be responsible.

79 7 4. The county of legal settlement shall pay for one  
79 8 hundred percent of the nonfederal share of the cost of  
79 9 services provided to persons with chronic mental illness  
79 10 implemented under the adult rehabilitation option of the state  
79 11 medical assistance plan. The state shall pay for one hundred  
79 12 percent of the nonfederal share of the cost of such services  
79 13 provided to such persons ~~without a county of~~ who do not have  
79 14 legal settlement in this state or the legal settlement is  
79 15 unknown.

79 16 5. The state shall pay for the entire nonfederal share of  
79 17 the costs for case management services provided to persons  
79 18 seventeen years of age or younger who are served in a home and  
79 19 community-based services waiver program under the medical  
79 20 assistance program for persons with mental retardation.

79 21 6. Funding under the medical assistance program shall be  
79 22 provided for case management services for eligible persons  
79 23 seventeen years of age or younger residing in counties with  
79 24 child welfare decategorization projects implemented in  
79 25 accordance with section 232.188, provided these projects have  
79 26 included these persons in the service plan and the  
79 27 decategorization project county is willing to provide the  
79 28 nonfederal share of the costs.

79 29 7. Unless a county has paid or is paying for the  
79 30 nonfederal share of the costs of a person's home and  
79 31 community-based waiver services or placement in an  
79 32 intermediate care facility for persons with mental retardation  
79 33 under the county's mental health, mental retardation, and  
79 34 developmental disabilities services fund, or unless a county  
79 35 of legal settlement would become liable for the costs of  
80 1 services for a person at the level of care provided in an  
80 2 intermediate care facility for persons with mental retardation  
80 3 due to the person reaching the age of majority, the state  
80 4 shall pay for the nonfederal share of the costs of an eligible



80 5 person's services under the home and community-based services  
 80 6 waiver for persons with brain injury.  
 80 7 ~~5.~~ 8. If a dispute arises between different counties or  
 80 8 between the department and a county as to the legal settlement  
 80 9 of a person who receives medical assistance for which the  
 80 10 nonfederal share is payable in whole or in part by a county of  
 80 11 legal settlement, and cannot be resolved by the parties, the  
 80 12 dispute shall be resolved as provided in section 225C.8.  
 80 13 9. Notwithstanding section 8.39, the department may  
 80 14 transfer funds appropriated for the medical assistance program  
 80 15 to a separate account established in the department's case  
 80 16 management unit in an amount necessary to pay for expenditures  
 80 17 required to provide case management for mental health, mental  
 80 18 retardation, and developmental disabilities services under the  
 80 19 medical assistance program which are jointly funded by the  
 80 20 state and county, pending final settlement of the  
 80 21 expenditures. Funds received by the case management unit in  
 80 22 settlement of the expenditures shall be used to replace the  
 80 23 transferred funds and are available for the purposes for which  
 80 24 the funds were originally appropriated.

80 25 Sec. 104. Section 249A.26A, Code 2005, is amended to read  
 80 26 as follows:  
 80 27 249A.26A STATE AND COUNTY PARTICIPATION IN FUNDING FOR  
 80 28 REHABILITATION SERVICES FOR PERSONS WITH CHRONIC MENTAL  
 80 29 ILLNESS.  
 80 30 The county of legal settlement shall pay for the nonfederal  
 80 31 share of the cost of rehabilitation services provided under  
 80 32 the medical assistance program for persons with chronic mental  
 80 33 illness, except that the state shall pay for the nonfederal  
 80 34 share of such costs if the person does not have a county of  
 80 35 legal settlement in this state or the legal settlement is  
 81 1 unknown.

CODE: Clarifies when the State pays for the non-federal share of costs of a person without legal settlement.

DETAIL: This language has been included in prior year appropriation Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

81 2 Sec. 105. NEW SECTION. 249A.32A HOME AND COMMUNITY-BASED  
 81 3 SERVICES WAIVERS -- LIMITATIONS.

CODE: Specifies that the number of openings on the Home and Community-Based Services Waiver is limited to the number of

81 4 In administering a home and community-based services  
 81 5 waiver, the total number of openings at any one time shall be  
 81 6 limited to the number approved for the waiver by the secretary  
 81 7 of the United States department of health and human services.  
 81 8 The openings shall be available on a first-come, first-served  
 81 9 basis.

openings approved by the federal Department of Health and Human Services.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

81 10 Sec. 106. NEW SECTION. 249A.32B EARLY AND PERIODIC  
 81 11 SCREENING, DIAGNOSIS, AND TREATMENT FUNDING.  
 81 12 The department of human services, in consultation with the  
 81 13 Iowa department of public health and the department of  
 81 14 education, shall continue the program to utilize the early and  
 81 15 periodic screening, diagnosis, and treatment program funding  
 81 16 under the medical assistance program, to the extent possible,  
 81 17 to implement the screening component of the early and periodic  
 81 18 screening, diagnosis, and treatment program through the  
 81 19 schools. The department may enter into contracts to utilize  
 81 20 maternal and child health centers, the public health nursing  
 81 21 program, or school nurses in implementing this section.

CODE: Requires that the Department of Human Services continue the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program through the schools.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

81 22 Sec. 107. Section 252B.4, subsection 3, Code 2005, is  
 81 23 amended to read as follows:  
 81 24 3. Fees collected pursuant to this section shall be  
 81 25 ~~retained by the department for use by~~ considered repayment  
 81 26 receipts, as defined in section 8.2, and shall be used for the  
 81 27 purposes of the unit. The director or a designee shall keep  
 81 28 an accurate record of funds so retained the fees collected and  
 81 29 expended.

CODE: Appropriates non-public assistance application and federal tax refund offset fees to the Child Support Recovery Unit.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

81 30 Sec. 108. Section 252B.23, subsection 11, Code 2005, is  
 81 31 amended to read as follows:  
 81 32 11. All surcharge payments shall be received and disbursed  
 81 33 by the collection services center. The surcharge payments  
 81 34 received by the collection services center shall be considered  
 81 35 repayment receipts as defined in section 8.2 and shall be used

CODE: Appropriates surcharge payments to the Child Support Recovery Unit to be used for payment of contract costs.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

82 1 to pay the costs of any contracts with a collection entity.

82 2 Sec. 109. NEW SECTION. 252B.25 USE OF FUNDING FOR  
82 3 ADDITIONAL POSITIONS.

82 4 1. The director, within the limitations of the amount  
82 5 appropriated for the unit, or moneys transferred for this  
82 6 purpose from the family investment program account created in  
82 7 section 239B.11, may establish new positions and add employees  
82 8 to the unit if the director determines that both the current  
82 9 and additional employees together can reasonably be expected  
82 10 to maintain or increase net state revenue at or beyond the  
82 11 budgeted level for the fiscal year.

82 12 2. a. The director may establish new positions and add  
82 13 state employees to the unit or contract for delivery of  
82 14 services if the director determines the employees are  
82 15 necessary to replace county-funded positions eliminated due to  
82 16 termination, reduction, or nonrenewal of a chapter 28E  
82 17 contract. However, the director must also determine that the  
82 18 resulting increase in the state share of child support  
82 19 recovery incentives exceeds the cost of the positions or  
82 20 contract, the positions or contract are necessary to ensure  
82 21 continued federal funding of the unit, or the new positions or  
82 22 contract can reasonably be expected to recover at least twice  
82 23 the amount of money necessary to pay the salaries and support  
82 24 for the new positions or the contract will generate at least  
82 25 two hundred percent of the cost of the contract.

82 26 b. Employees in full-time positions that transition from  
82 27 county government to state government employment under this  
82 28 subsection are exempt from testing, selection, and appointment  
82 29 provisions of chapter 19A and from the provisions of  
82 30 collective bargaining agreements relating to the filling of  
82 31 vacant positions.

82 32 Sec. 110. Section 321J.25, subsection 1, paragraph b, Code  
82 33 2005, is amended to read as follows:

82 34 b. "Program" means a substance abuse awareness program

CODE: Permits the Director of the DHS to establish new positions, by either adding State employees or contracting for delivery of services, if necessary, to replace eliminated county-funded positions. Specifies that employees are only to be added if any of the following criteria are met:

- The State share of recoveries exceeds the cost of the positions.
- The addition of positions is necessary to continue federal funding.
- The positions or contracts are expected to recover twice the cost of the additional staff or contract.

The FTE positions that transition from county government to State government employees are exempt from specified hiring process requirements.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Bill.

82 35 provided under a contract entered into between the provider  
83 1 and the ~~commission on substance abuse of the Iowa department~~  
83 2 of public health under chapter 125.

83 3 Sec. 111. Section 321J.25, subsection 2, unnumbered  
83 4 paragraph 1, Code 2005, is amended to read as follows:  
83 5 A substance abuse awareness program is established in each  
83 6 of the regions established by the ~~commission on substance-~~  
83 7 ~~abuse~~ director of public health pursuant to section 125.12.  
83 8 The program shall consist of an insight class and a substance  
83 9 abuse evaluation, which shall be attended by the participant,  
83 10 to discuss issues related to the potential consequences of  
83 11 substance abuse. The parent or parents of the participant  
83 12 shall also be encouraged to participate in the program. The  
83 13 program provider shall consult with the participant or the  
83 14 parents of the participant in the program to determine the  
83 15 timing and appropriate level of participation for the  
83 16 participant and any participation by the participant's  
83 17 parents. The program may also include a supervised  
83 18 educational tour by the participant to any or all of the  
83 19 following:

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the Director of Public Health due to the elimination of the Commission in this Bill.

83 20 Sec. 112. Section 505.25, Code 2005, is amended to read as  
83 21 follows:  
83 22 505.25 INFORMATION PROVIDED TO MEDICAL ASSISTANCE PROGRAM  
83 23 AND HAWK-I PROGRAMS.  
83 24 A carrier, as defined in section 514C.13, shall enter into  
83 25 a health insurance data match program with the department of  
83 26 human services for the sole purpose of comparing the names of  
83 27 the carrier's insureds with the names of recipients of the  
83 28 medical assistance program under chapter 249A or enrollees of  
83 29 the hawk-i program under chapter 514I.

CODE: Requires that DHS include those eligible for the Healthy and Well Kids in Iowa (*hawk-i*) Program in the Health Insurance Data Match Program.

83 30 Sec. 113. Section 514I.11, subsection 2, Code 2005, is  
83 31 amended to read as follows:

CODE: Permits the funds within the Healthy and Well Kids in Iowa (*hawk-i*) Program to be used to expand health insurance coverage for

83 32 2. The trust fund shall be separate from the general fund  
 83 33 of the state and shall not be considered part of the general  
 83 34 fund of the state. The moneys in the trust fund are not  
 83 35 subject to section 8.33 and shall not be transferred, used,  
 84 1 obligated, appropriated, or otherwise encumbered, except to  
 84 2 provide for the purposes of this chapter and except as  
 84 3 provided in subsection 4. Notwithstanding section 12C.7,  
 84 4 subsection 2, interest or earnings on moneys deposited in the  
 84 5 trust fund shall be credited to the trust fund.

children under the Medical Assistance (Medicaid) Program.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

84 6 Sec. 114. Section 514I.11, Code 2005, is amended by adding  
 84 7 the following new subsections:  
 84 8 NEW SUBSECTION. 3. Moneys in the fund are appropriated to  
 84 9 the department and shall be used to offset any program costs.  
 84 10 NEW SUBSECTION. 4. The department may transfer moneys  
 84 11 appropriated from the fund to be used for the purpose of  
 84 12 expanding health care coverage to children under the medical  
 84 13 assistance program.  
 84 14 NEW SUBSECTION. 5. The department shall provide periodic  
 84 15 updates to the general assembly regarding expenditures from  
 84 16 the fund.

CODE: Provides for the following for the Healthy and Well Kids in Iowa (*hawk-i*) Program:

- The Trust Funds are appropriated to the DHS for the Program.
- The DHS may transfer funds from the Trust Fund to pay for the expanding health care coverage for children under the Medicaid Program.
- The DHS provide periodic updates to the General Assembly.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

84 17 Sec. 115. Section 600.17, Code 2005, is amended by adding  
 84 18 the following new subsection:  
 84 19 NEW SUBSECTION. 3. The department of human services shall  
 84 20 make adoption presubsidy and adoption subsidy payments to  
 84 21 adoptive parents at the beginning of the month for the current  
 84 22 month.

CODE: Requires the DHS to make adoption presubsidy and subsidy payments at the beginning of each month.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Human Services and is being codified to make it a permanent part of the Code of Iowa.

84 23 Sec. 116. COMMISSION ON SUBSTANCE ABUSE -- RULES. The  
 84 24 administrative rules adopted by the commission on substance  
 84 25 abuse that are in effect as of June 30, 2005, shall remain in  
 84 26 effect until modified or rescinded by the state board of  
 84 27 health.

Provides for the transition of administrative rules previously adopted by the Commission on Substance Abuse to reflect the elimination of the Commission in this Bill.

84 28 Sec. 117. Sections 125.4, 125.5, and 125.6, Code 2005, are  
84 29 repealed.

CODE: Repeals statutory language relating to the terms of office, organization, and expense compensation for the Commission on Substance Abuse which is eliminated in this Bill.

84 30 Sec. 118. EFFECTIVE DATE. The amendment in this Act to  
84 31 section 144A.13A, being deemed of immediate importance, takes  
84 32 effect upon enactment.

Requires that the Section that provides that provides for nonreversion of funds appropriated from birth certificate fees to the Primary and Secondary Child Abuse Prevention Programs and the Center for Congenital and Inherited Disorders Central Registry takes effect upon enactment.

84 33 EXPLANATION

84 34 This bill relates to and makes appropriations for health  
84 35 and human services for fiscal year 2005-2006 to the state  
85 1 commission of veterans affairs, the Iowa veterans home, the  
85 2 department of elder affairs, the Iowa department of public  
85 3 health, and the department of human services.

85 4 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS. This division  
85 5 appropriates funding from the general fund of the state for  
85 6 the department of elder affairs, the Iowa department of public  
85 7 health, and the commission of veterans affairs.  
85 8 The division appropriates funds from the gambling treatment  
85 9 fund in lieu of the standing appropriation in Code section  
85 10 135.150 for addictive disorders and provides for use of the  
85 11 funds remaining in the fund.

85 12 The division appropriates funding from the general fund of  
85 13 the state and the federal temporary assistance for needy  
85 14 families block grant to the department of human services.

85 15 Code section 249A.20, relating to reimbursement of  
85 16 noninstitutional providers under the medical assistance  
85 17 (Medicaid) program, is amended to provide that beginning July  
85 18 1, 2005, noninstitutional health providers of anesthesia  
85 19 services will be reimbursed using a conversion factor  
85 20 applicable to the federal Medicare program for those services  
85 21 in effect on November 1, 2000, as adjusted to reflect the  
85 22 Medicare resource-based relative value scale methodology as  
85 23 applied to other noninstitutional health providers from

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85 24 November 1, 2000.  
85 25 Session law relating to reimbursement of nursing facilities  
85 26 using a case-mix methodology is amended to revise the excess  
85 27 amount applied for those facilities with direct-care and  
85 28 indirect-care costs at certain percentages below the median.  
85 29 Provisions in this division related to issuance of funding  
85 30 plans by representatives of the department of human services  
85 31 and the judicial branch, for carryforward of funding allocated  
85 32 for FY 2004-2005 for purposes of electronic benefit transfer  
85 33 activities, for field operations, and for the Iowa veterans  
85 34 home take effect upon enactment.

85 35 SENIOR TRUST FUND, HOSPITAL TRUST FUND, AND PHARMACEUTICAL  
86 1 SETTLEMENT ACCOUNT. This division makes appropriations for  
86 2 the 2005-2006 fiscal year from the senior living trust fund to  
86 3 the department of elder affairs, the department of human  
86 4 services, the department of inspections and appeals, and the  
86 5 Iowa finance authority.  
86 6 The division makes an appropriation from the hospital trust  
86 7 fund and the pharmaceutical settlement account to the  
86 8 department of human services to supplement the medical  
86 9 assistance appropriation and the medical contracts  
86 10 appropriation.  
86 11 The division provides for nonreversion of assisted living  
86 12 conversion grant funding that remains unexpended at the close  
86 13 of FY 2004-2005 or FY 2005-2006. This section takes effect  
86 14 upon enactment.

86 15 MENTAL HEALTH, MENTAL RETARDATION, DEVELOPMENTAL  
86 16 DISABILITIES, AND BRAIN INJURY SERVICES. This division  
86 17 relates to mental health, mental retardation and other  
86 18 developmental disabilities, and brain injury (MH/MR/DD/BI)  
86 19 services funding.  
86 20 The division provides for distribution of the services  
86 21 funding previously appropriated for FY 2005-2006 and shifts an  
86 22 allocation made from that funding to the risk pool fund to  
86 23 instead be used for the Medicaid program.

86 24 CODE CHANGES -- This division makes Code changes involving  
86 25 older Iowans, health, human services, and veterans programs.

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86 26 Code section 28.9, creating the Iowa empowerment fund, is  
86 27 amended to provide for distribution to community empowerment  
86 28 areas of moneys credited to the early childhood programs grant  
86 29 account by the department of human services.

86 30 New Code section 35D.18 provides for operation of the Iowa  
86 31 veterans home through the use of a net appropriation from the  
86 32 general fund of the state.

86 33 Code section 84A.26, relating to employment and training  
86 34 programs operated by the department of workforce development,  
86 35 is amended to require the department of workforce development  
87 1 to consult with the department of human services in developing  
87 2 and implementing departmental recruitment and training  
87 3 practices that address the needs of former and current family  
87 4 investment program participants.

87 5 Code chapter 125 is amended to eliminate the commission on  
87 6 substance abuse and to transfer the commission's duties to the  
87 7 state board of health. The state board of health membership  
87 8 is expanded to include two members with a background in  
87 9 substance abuse prevention and treatment. Conforming changes  
87 10 are made in other Code sections.

87 11 New Code section 135.39C requires the Iowa department of  
87 12 public health to implement elderly wellness services in a  
87 13 manner that makes the department the payor of last resort.

87 14 Code section 136C.10, relating to fees collected by the  
87 15 Iowa department of public health from regulation of radiation  
87 16 machines and radioactive materials, is amended. The bill  
87 17 authorizes the department to retain the fees collected for  
87 18 licensing, registration, authorization, accreditation, and  
87 19 inspection of radiation machines used for mammographically  
87 20 guided breast biopsy, screening, and diagnostic mammography to  
87 21 support the department's regulation of radiation machines and  
87 22 radioactive materials.

87 23 Code section 144.13A, providing for appropriation of a  
87 24 portion of certificate of birth fees for child abuse  
87 25 prevention and the center for congenital and inherited  
87 26 disorders central registry, is amended to provide that the  
87 27 appropriation does not revert at the close of the fiscal year.



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87 28 This section takes effect upon enactment.  
87 29 New Code section 144.46A creates a new vital records fund,  
87 30 incorporating the vital records modernization project as a  
87 31 permanent authority of the Iowa department of public health.  
87 32 The department is authorized to increase fees for vital  
87 33 records services. The fee increase proceeds are credited to  
87 34 the new vital records fund and the proceeds are appropriated  
87 35 for the technology used for vital records and for other vital  
88 1 records activities. The project was originally authorized in  
88 2 1993 and has been annually reauthorized in appropriations  
88 3 legislation.  
88 4 New Code section 147.28A directs the Iowa department of  
88 5 public health to utilize scope of practice review committees  
88 6 to evaluate and make recommendations concerning health  
88 7 professional licensing requests, scope of practice requests,  
88 8 and unresolved disputes between health professionals  
88 9 concerning rulemaking authority. The department is authorized  
88 10 to retain a portion of licensing fees for the costs of scope  
88 11 of practice review committees. This section is repealed July  
88 12 1, 2005.  
88 13 Code section 147.82, relating to examination, licensing,  
88 14 and other fees for regulation of health professions, requires  
88 15 the fees to be credited to the general fund of the state. The  
88 16 bill amends Code section 147.82 to list exceptions to the  
88 17 requirement that have been annually included in appropriations  
88 18 legislation for a number of years by allowing the Iowa  
88 19 department of public health to retain certain fee amounts for  
88 20 certain purposes. The purposes include expenses associated  
88 21 with a scope of practice review committee or unanticipated  
88 22 litigation; a specified amount for lease and maintenance  
88 23 expenses for the boards of dental examiners, pharmacy  
88 24 examiners, medical examiners, and nursing; a specified amount  
88 25 for processing medical license requests and consideration of  
88 26 malpractice cases by the board of medical examiners; and a  
88 27 specified amount for the board of dental examiners regulation  
88 28 of dental assistants. In addition, the board of nursing and  
88 29 the board of pharmacy examiners are authorized to retain and

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88 30 expend 90 percent of the increase in fees above the amounts in  
88 31 effect as of a base date. Conforming changes are made to Code  
88 32 section 147.94, relating to pharmacists, and to Code section  
88 33 147.102, relating to psychologists, chiropractors, and  
88 34 dentists.

88 35 Code section 217.13, relating to the requirement for the  
89 1 department of human services to implement volunteer programs,  
89 2 is amended to provide that volunteers can be used for any  
89 3 functions that complement and supplement the department's work  
89 4 with clients.

89 5 New Code section 217.35 makes a contingent appropriation to  
89 6 the department of human services of recovered moneys generated  
89 7 through fraud and recoupment activities to be used for  
89 8 additional recovery activities of the departments of human  
89 9 services and inspections and appeals. The director of human  
89 10 services must make a determination that there will be an  
89 11 increase in recoveries exceeding the amount recovered in the  
89 12 previous fiscal year and the amount expended for additional  
89 13 fraud and recoupment activities cannot exceed the additional  
89 14 amount recovered. If the appropriation is utilized, a  
89 15 requirement in Code section 239B.14 for deposit of recovered  
89 16 family investment program moneys in that program's account is  
89 17 superseded.

89 18 New Code section 218.6 authorizes the department of human  
89 19 services to transfer between the institutional appropriations  
89 20 made for the same type of institution without the prior  
89 21 approval of the governor and the department of management.

89 22 New Code sections 222.92, 226.9B, and 226.9C provide for  
89 23 operation of the state resource centers, a psychiatric medical  
89 24 institution for children located at the state mental health  
89 25 institute at Independence, and a dual diagnosis mental health  
89 26 and substance abuse treatment program located at the state  
89 27 mental health institute at Mount Pleasant through the use of a  
89 28 net appropriation from the general fund of the state.

89 29 Code section 226.19, relating to discharge of patients from  
89 30 a state mental health institute, is amended to require the  
89 31 discharge planning for a patient whose care is paid for by the

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89 32 state or a county to include assistance to the patient in  
89 33 obtaining eligibility for the federal supplemental security  
89 34 income program.  
89 35 Code section 229A.12, relating to the responsibility of the  
90 1 director of human services for the costs incurred on behalf of  
90 2 a person committed to the unit for sexually violent predators,  
90 3 is amended to provide that benefits received by the person  
90 4 under the federal Social Security Act shall be applied against  
90 5 the costs.  
90 6 New Code section 231.34 limits the percentage amount of the  
90 7 moneys allocated to the area agencies on aging that may be  
90 8 used for administrative purposes.  
90 9 New Code section 232.1A provides that the annual goal for  
90 10 the percentage of children placed in foster care for more than  
90 11 24 months is 15 percent or less.  
90 12 Code sections 233A.1 and 233B.1 are amended to provide that  
90 13 the number of children present at any one time at the state  
90 14 training school at Eldora or the Iowa juvenile home cannot  
90 15 exceed the populations guidelines established pursuant to a  
90 16 1990 enactment, as adjusted for subsequent changes in  
90 17 capacity.  
90 18 Code section 234.12A, relating to the electronic benefits  
90 19 transfer program administered by the department of human  
90 20 services, is amended. The bill requires the department to  
90 21 maintain the program. Under current law, operation of the  
90 22 program is authorized but not mandated.  
90 23 Code section 237A.28, establishing the child care credit  
90 24 fund, is amended to make a standing appropriation of the  
90 25 proceeds in the fund to the department for the state child  
90 26 care assistance program for low-income families.  
90 27 Code section 239B.4, relating to the duties of the  
90 28 department of human services involving the family investment  
90 29 program (FIP), is amended to require the department to work  
90 30 with the department of workforce development and local  
90 31 collaborative efforts in providing support services to FIP  
90 32 participants. In addition, the department of human services  
90 33 is required to increase the availability of host homes to

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90 34 provide a supportive living arrangement for minor parents  
90 35 participating in FIP.  
91 1 Code section 239B.11 provisions relating to the diversion  
91 2 subaccount of the family investment program account are  
91 3 amended to provide additional purposes for which the funding  
91 4 may be used and to require the program to be operated  
91 5 statewide while allowing for local flexibility.  
91 6 Code section 249.3, relating to persons who may be eligible  
91 7 for the state supplementary assistance program at the option  
91 8 of the department of human services, is amended to decrease  
91 9 the upper income eligibility limitation and to change the  
91 10 requirement relative to receiving benefits under the Medicaid  
91 11 program.  
91 12 Code sections 249A.12, 249A.26, and 249A.26A are amended to  
91 13 address state and county participation in funding for persons  
91 14 with mental retardation and disabilities, including case  
91 15 management services.  
91 16 Code section 249A.24, relating to the Medicaid program drug  
91 17 utilization review commission, is amended to require the  
91 18 commission to submit an annual review of the drugs on the  
91 19 department of human services' prescription drug prior  
91 20 authorization list.  
91 21 New Code section 249A.32A establishes various procedural  
91 22 and funding requirements for home and community-based services  
91 23 waivers implemented under the Medicaid program.  
91 24 New Code section 249A.32B requires the department of human  
91 25 services to continue the early and periodic screening,  
91 26 diagnosis, and treatment services program under the medical  
91 27 assistance program and to involve other departments.  
91 28 Code section 252B.4 is amended to authorize the department  
91 29 of human services to retain and expend the fees collected for  
91 30 providing child support collection services.  
91 31 Code section 252B.23 authorizes the department to retain  
91 32 and expend child support collection surcharges for the costs  
91 33 of contracts with a collection entity.  
91 34 New Code section 252B.25 authorizes the department of human  
91 35 services to add new positions to the child support recovery

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92 1 unit if the new positions along with the current positions can  
92 2 reasonably be expected to maintain or increase net state  
92 3 revenue beyond the level budgeted for the fiscal year. In  
92 4 addition, the department is authorized to add state employees  
92 5 to the child support recovery unit or contract for services if  
92 6 necessary to replace county-funded positions eliminated due to  
92 7 a termination, reduction, or nonrenewal of a chapter 28E  
92 8 contract.

92 9 Code section 505.25, requiring health insurance carriers to  
92 10 enter into a data match program with the department of human  
92 11 services to compare the names of the carrier's insureds with  
92 12 recipients of the Medicaid program, is amended to also compare  
92 13 the names with enrollees of the hawk-i program.

92 14 Code section 514I.11 is amended to appropriate moneys in  
92 15 the hawk-i trust fund to the department of human services and  
92 16 to allow for transfer of the moneys in the trust fund to  
92 17 expand health care coverage to children under the medical  
92 18 assistance program.

92 19 Code section 600.17 is amended to require the department of  
92 20 human services to make subsidized adoption payments at the  
92 21 beginning of the month.

92 22 LSB 1089HV 81  
92 23 pf:jp/cf/24

# Summary Data

## General Fund

H.F. 825	Actual FY 2003	Actual FY 2004	Estimated FY 2005	House Approp FY 2006	House Approp vs Est FY 2005	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Health and Human Services	\$ 825,563,948	\$ 765,720,814	\$ 785,029,622	\$ 994,490,335	\$ 209,460,713	
Grand Total	<u>\$ 825,563,948</u>	<u>\$ 765,720,814</u>	<u>\$ 785,029,622</u>	<u>\$ 994,490,335</u>	<u>\$ 209,460,713</u>	

# Health and Human Services

## General Fund

H.F. 825	Actual FY 2003	Actual FY 2004	Estimated FY 2005	House Approp FY 2006	House Approp vs Est FY 2005	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<b><u>Elder Affairs, Department of</u></b>						
Aging Programs	\$ 3,916,273	\$ 2,639,378	\$ 2,730,522	\$ 2,730,522	\$ 0	PG 1 LN 10
<b><u>Health, Department of Public</u></b>						
Addictive Disorders	\$ 1,172,890	\$ 1,270,342	\$ 1,267,111	\$ 1,258,710	\$ -8,401	PG 2 LN 12
Adult Wellness	497,647	254,719	304,067	304,067	0	PG 2 LN 25
Child and Adolescent Wellness	1,083,796	817,895	915,803	862,592	-53,211	PG 2 LN 29
Chronic Conditions	1,148,795	1,022,647	845,863	1,295,342	449,479	PG 2 LN 35
Community Capacity	1,204,483	1,312,056	1,267,359	1,264,299	-3,060	PG 3 LN 10
Elderly Wellness	9,455,265	9,257,662	9,233,985	9,233,985	0	PG 3 LN 20
Environmental Hazards	155,276	341,682	251,808	401,808	150,000	PG 3 LN 24
Infectious Diseases	1,075,158	1,079,987	1,079,703	1,078,039	-1,664	PG 3 LN 30
Injuries	1,464,963	1,382,894	1,379,358	1,044,151	-335,207	PG 4 LN 1
Public Protection	6,115,802	6,526,668	6,620,172	6,820,423	200,251	PG 4 LN 15
Resource Management	1,074,075	701,068	978,634	994,442	15,808	PG 4 LN 21
Hearing Impaired Licensure			60,390		-60,390	
Uninsured Prescrip Drug Access			10,000		-10,000	
<b>Total Health, Department of Public</b>	<b>\$ 24,448,150</b>	<b>\$ 23,967,620</b>	<b>\$ 24,214,253</b>	<b>\$ 24,557,858</b>	<b>\$ 343,605</b>	
<b><u>Human Services, Department of</u></b>						
<b><u>Economic Assistance</u></b>						
Family Investment Program	\$ 35,288,782	\$ 36,189,791	\$ 39,077,222	\$ 40,316,718	\$ 1,239,496	PG 11 LN 14
Child Support Recoveries	5,750,910	5,915,656	7,773,099	7,829,317	56,218	PG 11 LN 26
<b>Total Economic Assistance</b>	<b>41,039,692</b>	<b>42,105,447</b>	<b>46,850,321</b>	<b>48,146,035</b>	<b>1,295,714</b>	
<b><u>Medical Services</u></b>						
Medical Assistance-GF Trans	418,742,073	348,686,073	352,810,068	524,510,863	171,700,795	PG 12 LN 15
Health Insurance Premium Pmt.	565,848	606,429	615,213	612,574	-2,639	PG 16 LN 2
Medical Contracts	8,729,141	8,990,035	9,725,035	14,711,985	4,986,950	PG 16 LN 14

# Health and Human Services

## General Fund

H.F. 825	Actual FY 2003	Actual FY 2004	Estimated FY 2005	House Approp FY 2006	House Approp vs Est FY 2005	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<b><u>Human Services, Department of (cont.)</u></b>						
<b>Medical Services (cont.)</b>						
State Children's Health Ins.	11,458,412	11,118,275	12,118,275	16,618,275	4,500,000	PG 17 LN 19
State Supplementary Assistance	19,500,000	19,198,735	19,273,135	19,810,335	537,200	PG 16 LN 22
County Hospitals		312,000	200,000		-200,000	
<b>Total Medical Services</b>	<b>458,995,474</b>	<b>388,911,547</b>	<b>394,741,726</b>	<b>576,264,032</b>	<b>181,522,306</b>	
<b>Child and Family Services</b>						
Child Care Services	4,939,635	5,050,752	5,050,752	8,350,752	3,300,000	PG 17 LN 31
Toledo Juvenile Home	6,150,122	6,061,266	6,091,283	6,201,283	110,000	PG 19 LN 17
Eldora Training School	10,149,340	9,570,563	9,622,692	9,830,692	208,000	PG 19 LN 22
Child and Family Services	103,844,163	97,091,253	97,457,784	76,508,683	-20,949,101	PG 19 LN 33
Adoption Subsidy				32,275,732	32,275,732	PG 24 LN 28
Family Support Subsidy	1,936,434	1,936,434	1,936,434	1,936,434	0	PG 26 LN 13
Child Welfare Redesign Loan		1,000,000			0	
Child Welfare Tech & Training		1,200,000			0	
<b>Total Child and Family Services</b>	<b>127,019,694</b>	<b>121,910,268</b>	<b>120,158,945</b>	<b>135,103,576</b>	<b>14,944,631</b>	
<b>MH/MR/DD/BI</b>						
Conners Training	42,623	42,623	42,623	42,623	0	PG 26 LN 29
Cherokee MHI	12,392,966	13,226,585	12,986,389	13,074,889	88,500	PG 27 LN 10
Clarinda MHI	7,059,035	7,403,022	7,439,591	7,439,591	0	PG 27 LN 16
Independence MHI	16,283,896	17,153,722	17,324,891	17,329,091	4,200	PG 27 LN 22
Mt. Pleasant MHI	5,292,013	5,903,546	6,131,181	6,131,181	0	PG 27 LN 28
Glenwood Resource Center	4,021,038	6,060,778	8,683,925	12,650,344	3,966,419	PG 28 LN 5
Woodward Resource Center	2,521,266	4,578,453	4,615,615	7,073,088	2,457,473	PG 28 LN 8
Mental Health Redesign					0	
MI/MR State Cases	11,414,619	11,014,619	11,014,619	10,514,619	-500,000	PG 29 LN 10
MH/DD Community Services	17,757,890	17,757,890	17,757,890	17,757,890	0	PG 29 LN 33
Personal Assistance	157,921	205,748	205,748		-205,748	



# Health and Human Services

## General Fund

H.F. 825	Actual FY 2003	Actual FY 2004	Estimated FY 2005	House Approp FY 2006	House Approp vs Est FY 2005	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<b><u>Human Services, Department of (cont.)</u></b>						
<b>MH/MR/DD/BI (cont.)</b>						
Sexual Predator Civil Commit.	3,375,179	2,801,472	2,846,338	3,621,338	775,000	PG 31 LN 18
MH/DD Growth Factor	14,181,000	19,073,638	23,738,749	28,507,362	4,768,613	
<b>Total MH/MR/DD/BI</b>	<b>94,499,446</b>	<b>105,222,096</b>	<b>112,787,559</b>	<b>124,142,016</b>	<b>11,354,457</b>	
<b>Managing and Delivering Services</b>						
Field Operations	49,951,093	52,727,745	53,519,372	53,519,372	0	PG 32 LN 6
General Administration	11,304,333	11,480,872	13,312,196	13,312,196	0	PG 32 LN 18
Volunteers	109,568	109,568	109,568	109,568	0	PG 32 LN 31
<b>Total Managing and Delivering Services</b>	<b>61,364,994</b>	<b>64,318,185</b>	<b>66,941,136</b>	<b>66,941,136</b>	<b>0</b>	
<b>Total Human Services, Department of</b>	<b>\$ 782,919,300</b>	<b>\$ 722,467,543</b>	<b>\$ 741,479,687</b>	<b>\$ 950,596,795</b>	<b>\$ 209,117,108</b>	
<b><u>Veterans Affairs, Comm. of</u></b>						
Veterans Affairs, Comm of	\$ 188,074	\$ 294,714	\$ 295,717	\$ 295,717	\$ 0	PG 6 LN 5
Iowa Veterans Home	14,092,151	16,351,559	16,309,443	16,309,443	0	PG 6 LN 21
<b>Total Veterans Affairs, Comm. of</b>	<b>\$ 14,280,225</b>	<b>\$ 16,646,273</b>	<b>\$ 16,605,160</b>	<b>\$ 16,605,160</b>	<b>\$ 0</b>	
<b>Total Health and Human Services</b>	<b>\$ 825,563,948</b>	<b>\$ 765,720,814</b>	<b>\$ 785,029,622</b>	<b>\$ 994,490,335</b>	<b>\$ 209,460,713</b>	

# Summary Data

## Non General Fund

H.F. 825	Actual FY 2003	Actual FY 2004	Estimated FY 2005	House Approp FY 2006	House Approp vs Est FY 2005	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Health and Human Services	\$ 158,477,635	\$ 330,680,475	\$ 356,306,229	\$ 264,693,150	\$ -91,613,079	
Grand Total	<u>\$ 158,477,635</u>	<u>\$ 330,680,475</u>	<u>\$ 356,306,229</u>	<u>\$ 264,693,150</u>	<u>\$ -91,613,079</u>	

# Health and Human Services

## Non General Fund

H.F. 825	Actual FY 2003	Actual FY 2004	Estimated FY 2005	House Approp FY 2006	House Approp vs Est FY 2005	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<b><u>Economic Development, Dept. of</u></b>						
IFA-Asst. Living Rent Sub-SLTF				\$ 700,000	\$ 700,000	PG 45 LN 29
<b><u>Elder Affairs, Department of</u></b>						
Aging Programs - SLTF		\$ 7,522,118	\$ 8,222,118	\$ 8,289,368	\$ 67,250	PG 43 LN 22
<b><u>Health, Department of Public</u></b>						
Addictive Disorders-Gambling		\$ 1,690,000	\$ 1,690,000	\$ 1,690,000	\$ 0	PG 5 LN 21
Gambling Treatment Program	1,990,509	2,231,000	6,441,810	6,441,810	0	PG 5 LN 24
<b>Total Health, Department of Public</b>	<b>\$ 1,990,509</b>	<b>\$ 3,921,000</b>	<b>\$ 8,131,810</b>	<b>\$ 8,131,810</b>	<b>\$ 0</b>	
<b><u>Human Services, Department of</u></b>						
<b>Medical Services</b>						
LTC Alternative Services-SLTF		\$ 101,600,000	\$ 101,600,000	\$ 50,200,000	\$ -51,400,000	PG 44 LN 27
LTC Alt. Service Costs-SLTF		1,733,406	1,733,406	1,033,406	-700,000	PG 44 LN 32
LTC Provider Rate Changes-SLTF		29,950,000	29,950,000	29,950,000	0	PG 45 LN 6
Nurse Facility Grants-SLTF		20,000,000	20,000,000		-20,000,000	
Medicaid-Hospital Trust Fund	19,000,000	29,000,000	37,500,000	22,900,000	-14,600,000	PG 46 LN 6
<b>Total Medical Services</b>	<b>19,000,000</b>	<b>182,283,406</b>	<b>190,783,406</b>	<b>104,083,406</b>	<b>-86,700,000</b>	
<b>Federal Funds - TANF, etc.</b>						
Promise Jobs - TANF	12,596,034	13,040,875	13,412,794	13,412,794	0	PG 7 LN 10
Field Operations - TANF	17,235,056	14,230,751	16,280,254	16,702,033	421,779	PG 7 LN 15
General Admin. - TANF	3,238,614	3,638,614	3,660,030	3,730,547	70,517	PG 7 LN 17
Local Admin. Cost - TANF	2,122,982	2,122,982	2,136,565	2,181,296	44,731	PG 7 LN 19
State Day Care - TANF	28,638,329	21,145,765	18,073,746	14,556,560	-3,517,186	PG 7 LN 21
Emerg. Assist. - TANF	999,117				0	
Child & Fam. Serv. - TANF	22,896,571	25,424,380	33,475,728	31,538,815	-1,936,913	PG 8 LN 4
Child Abuse Prevention-TANF	250,000	63,938	250,000	250,000	0	PG 8 LN 6
Pregnancy Prevent. - TANF	1,201,994	2,610,874	2,514,413	2,520,037	5,624	PG 8 LN 8

# Health and Human Services

## Non General Fund

H.F. 825	Actual FY 2003	Actual FY 2004	Estimated FY 2005	House Approp FY 2006	House Approp vs Est FY 2005	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<b><u>Human Services, Department of (cont.)</u></b>						
<b>Federal Funds - TANF, etc. (cont.)</b>						
Training & Tech. - TANF	114,617	781,350	1,037,186	1,037,186	0	PG 8 LN 32
Volunteers - TANF	42,663	42,663			0	
Ind. Dev. Accts.-TANF	166,305				0	
HOPES - Transfer to DPH-TANF	200,000	198,453	200,000	200,000	0	PG 9 LN 1
0-5 Children - TANF	6,353,096	7,347,756	7,350,000	7,350,000	0	PG 9 LN 5
Child Support Recovery-TANF			200,000	200,000	0	PG 9 LN 17
MH/DD Comm. Services-TANF		4,349,266	4,500,610	4,798,979	298,369	PG 8 LN 1
FIP - TANF	41,431,748	41,022,054	45,277,569	44,277,569	-1,000,000	PG 7 LN 6
Fatherhood Initiative - TANF		50,550			0	
Marriage Initiative - TANF		83,680			0	
<b>Total Federal Funds - TANF, etc.</b>	<b>137,487,126</b>	<b>136,153,951</b>	<b>148,368,895</b>	<b>142,755,816</b>	<b>-5,613,079</b>	
<b>Total Human Services, Department of</b>	<b>\$ 156,487,126</b>	<b>\$ 318,437,357</b>	<b>\$ 339,152,301</b>	<b>\$ 246,839,222</b>	<b>\$ -92,313,079</b>	
<b><u>Inspections &amp; Appeals, Dept of</u></b>						
Health Facilities Div.- SLTF		\$ 800,000	\$ 800,000	\$ 732,750	\$ -67,250	PG 44 LN 7
<b>Total Inspections &amp; Appeals, Dept of</b>	<b>\$ 0</b>	<b>\$ 800,000</b>	<b>\$ 800,000</b>	<b>\$ 732,750</b>	<b>\$ -67,250</b>	
<b>Total Health and Human Services</b>	<b>\$ 158,477,635</b>	<b>\$ 330,680,475</b>	<b>\$ 356,306,229</b>	<b>\$ 264,693,150</b>	<b>\$ -91,613,079</b>	

# Summary Data

## FTE

H.F. 825	Actual FY 2003	Actual FY 2004	Estimated FY 2005	House Approp FY 2006	House Approp vs Est FY 2005	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Health and Human Services	6,074.76	6,274.57	6,366.02	6,383.17	17.15	
Grand Total	6,074.76	6,274.57	6,366.02	6,383.17	17.15	

# Health and Human Services

FTE

H.F. 825	Actual FY 2003	Actual FY 2004	Estimated FY 2005	House Approp FY 2006	House Approp vs Est FY 2005	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<b><u>Elder Affairs, Department of</u></b>						
Aging Programs	25.58	25.83	26.75	26.75	0.00	PG 1 LN 10
Aging Programs - SLTF			2.00	3.00	1.00	PG 43 LN 22
<b>Total Elder Affairs, Department of</b>	<b>25.58</b>	<b>25.83</b>	<b>28.75</b>	<b>29.75</b>	<b>1.00</b>	
<b><u>Health, Department of Public</u></b>						
Addictive Disorders	14.04	15.21	6.45	6.45	0.00	PG 2 LN 12
Adult Wellness	21.76	20.23			0.00	PG 2 LN 25
Child and Adolescent Wellness	42.30	42.41	6.65	6.65	0.00	PG 2 LN 29
Chronic Conditions	10.39	10.15	0.85	1.35	0.50	PG 2 LN 35
Community Capacity	24.80	20.63	9.90	9.90	0.00	PG 3 LN 10
Elderly Wellness	5.15	5.15			0.00	PG 3 LN 20
Environmental Hazards	8.97	7.22	0.50	1.50	1.00	PG 3 LN 24
Infectious Diseases	35.17	38.81	5.25	5.25	0.00	PG 3 LN 30
Injuries	7.54	9.10	1.80	1.80	0.00	PG 4 LN 1
Public Protection	136.65	146.45	106.40	110.05	3.65	PG 4 LN 15
Resource Management	51.71	45.14	3.00	3.00	0.00	PG 4 LN 21
Hearing Impaired Licensure		0.03	0.65		-0.65	
<b>Total Health, Department of Public</b>	<b>358.48</b>	<b>360.53</b>	<b>141.45</b>	<b>145.95</b>	<b>4.50</b>	
<b><u>Human Services, Department of</u></b>						
<b>Economic Assistance</b>						
Family Investment Program		14.34	16.33	17.33	1.00	PG 10 LN 3
Child Support Recoveries	375.09	379.25	423.00	423.00	0.00	PG 11 LN 26
<b>Total Economic Assistance</b>	<b>375.09</b>	<b>393.59</b>	<b>439.33</b>	<b>440.33</b>	<b>1.00</b>	
<b>Medical Services</b>						
Health Insurance Premium Pmt.	15.71	15.29	21.00	20.95	-0.05	PG 16 LN 2

# Health and Human Services

FTE

H.F. 825	Actual FY 2003	Actual FY 2004	Estimated FY 2005	House Approp FY 2006	House Approp vs Est FY 2005	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<b><u>Human Services, Department of (cont.)</u></b>						
<b>Medical Services (cont.)</b>						
Medical Contracts	0.76	1.01			0.00	PG 16 LN 14
LTC Alternative Services-SLTF			5.00	5.00	0.00	PG 44 LN 27
<b>Total Medical Services</b>	16.47	16.30	26.00	25.95	-0.05	
<b>Child and Family Services</b>						
Toledo Juvenile Home	113.54	110.53	130.54	130.54	0.00	PG 19 LN 17
Eldora Training School	194.14	189.19	218.53	218.53	0.00	PG 19 LN 22
<b>Total Child and Family Services</b>	307.68	299.72	349.07	349.07	0.00	
<b>MH/MR/DD/BI</b>						
Cherokee MHI	199.47	202.62	228.00	228.00	0.00	PG 27 LN 10
Clarinda MHI	106.07	101.38	106.40	113.15	6.75	PG 27 LN 16
Independence MHI	290.29	284.71	317.80	317.80	0.00	PG 27 LN 22
Mt. Pleasant MHI	87.89	96.47	100.44	100.44	0.00	PG 27 LN 28
Glenwood Resource Center	793.90	837.28	893.75	893.75	0.00	PG 28 LN 5
Woodward Resource Center	636.18	657.78	673.76	673.76	0.00	PG 28 LN 8
Sexual Predator Civil Commit.	26.43	53.10	57.00	65.00	8.00	PG 31 LN 18
<b>Total MH/MR/DD/BI</b>	2,140.23	2,233.34	2,377.15	2,391.90	14.75	
<b>Managing and Delivering Services</b>						
Field Operations	1,760.01	1,818.54	1,844.00	1,844.00	0.00	PG 32 LN 6
General Administration	270.96	269.56	295.05	292.00	-3.05	PG 32 LN 18
<b>Total Managing and Delivering Services</b>	2,030.97	2,088.10	2,139.05	2,136.00	-3.05	
<b>Total Human Services, Department of</b>	4,870.44	5,031.05	5,330.60	5,343.25	12.65	
<b><u>Inspections &amp; Appeals, Dept of</u></b>						
Health Facilities Div.- SLTF		6.00	6.00	5.00	-1.00	PG 44 LN 7

# Health and Human Services

## FTE

H.F. 825	Actual FY 2003	Actual FY 2004	Estimated FY 2005	House Approp FY 2006	House Approp vs Est FY 2005	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<b><u>Veterans Affairs, Comm. of</u></b>						
Veterans Affairs, Comm of	2.37	2.14	4.00	4.00	0.00	PG 6 LN 5
Iowa Veterans Home	817.89	849.02	855.22	855.22	0.00	PG 6 LN 21
<b>Total Veterans Affairs, Comm. of</b>	820.26	851.16	859.22	859.22	0.00	
<b>Total Health and Human Services</b>	6,074.76	6,274.57	6,366.02	6,383.17	17.15	